



WAR OF WORDS

Marsha Hunt on the meaning of slavery

Dark truths, page 16



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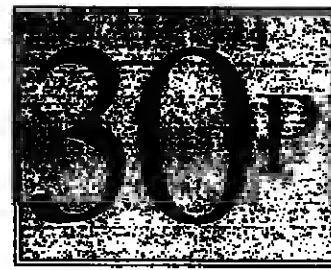
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KILL OR CURE?

Danger of untested herbal remedies

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THE TIMES

No. 64,867

TUESDAY FEBRUARY 1 1994

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Proof of 1988 rip-off, says Labour

£800m Rover sale to BMW sparks outcry

By KEVIN EASON
MOTORING
CORRESPONDENT

THE Government was last night pitched into a full-scale political row over the sale of Rover, the last British-owned mass car manufacturer, to the German company BMW.

BMW is paying British Aerospace £800 million for an 80 per cent controlling share in Rover. It has promised expansion and said that some of the great British marques such as MG, Riley and Triumph could be revived.

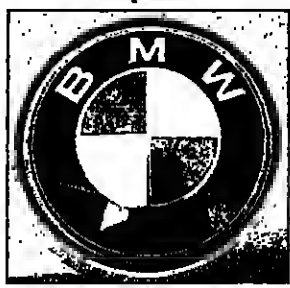
Honda of Japan, which owns the other 20 per cent, reacted frostily to the sale.

The speed and price of the deal also sparked angry reactions among opposition MPs and union leaders. They accused the Government of short-changing the taxpayer when Rover was sold to BAE in 1988.

Robin Cook, shadow Trade and Industry Secretary, claimed in the Commons that BMW was paying five times the price paid by BAE to take Rover out of state ownership. He said that BAE got Rover for £150 million — or £106 million "after deduction of the hidden sweeteners". Yesterday's deal with BMW was "proof that Rover was sold at a knock-down price to BAE and at a rip-off to the British taxpayer", Mr Cook said.

Labour MPs condemned the sale as "a disaster for British industry", driven solely by BAE's "desperate need for cash".

However, Tim Sainsbury, the industry minister, rejected Mr Cook's claims, saying that BAE had invested an average of £200 million a year into Rover during its ownership.



The BMW takeover offered "significant opportunities" for Rover while allowing BAE to concentrate on investing in its aerospace operations, he said.

The speed of the takeover shocked the motor industry. Rover's 33,000 workers discovered that the company was under new ownership only when they arrived at their offices and assembly lines, or from radio and television broadcasts.

The first reaction was one of emotion that the last British mass car manufacturer was to surrender to foreign takeover.

There were also fears among Rover managers and workers for the company's 15-year relationship with Honda which revived the business with a stream of new models.

The immediate response from Honda in Tokyo was: "We have been co-operating with Rover for 15 years with the aim of maintaining the Britishness and Roverness of the indigenous British company."

Bernard Pischetsrieder, chairman of BMW, said he hoped that co-operation with Honda could continue. He will explain details of the deal to Rover managers in Coventry

today and give reassurances to union leaders later this week that British jobs and plants are safe.

Union leaders are so far unplaced. Bill Jordan, president of the Amalgamated Engineering and Electrical Union, said: "Although the Rover management says it is in full control, Britain no longer owns its own motor industry. Considering we were once supreme in Europe, it has come to a sorry state."

Tony Woodley, spokesman for the Transport and General Workers' Union, said: "Rover employees and the general public will be astonished that BAE is appearing to sell its majority share for £800 million when it bought this holding from the Government for £150 million — clearly the Tories are still dumping the family silver."

Herr Pischetsrieder, asked yesterday whether he regretted paying £800 million for Rover when he could have "had it for a song" in 1988, replied: "I cannot really answer that as I am not a very good singer."

Dick Evans, BAE's chief executive, said it was unreasonable to draw a direct comparison between the two price tags. He said: "We have carried huge debts both on and off the balance sheet and our total investment in Rover has been many, many times the £150 million."

Lord Young of Grafton, who as Trade Secretary arranged the sale of Rover to BAE, said he believed the sale to BMW was for the best.

"I can understand that people are concerned that it is going to a German car company because it is the last majority-owned British car company other than Rolls-Royce," he said. "But it does not matter who owns the shares. It matters where the jobs are."

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Glyndebourne opens its doors for a tenner

By ALISON ROBERTS, ARTS REPORTER

GLYNDEBOURNE opera, for 60 years the privileged preserve of the champagne classes, where many patrons arrive by helicopter, is bowing to the forces of democracy: from late May the brand-new £33.5-million auditorium will be open to all, with tickets costing as little as £10 for standing room.

The new opera house, unveiled yesterday and built entirely with private money, allows easier access to the gardens, an important consideration on warm June evenings when patrons are wont to enjoy interval picnics off silver salvers. More importantly, however, a new pricing structure means that more than 20 per cent of the 1,200 seats, 400 more than in the old house on the same site, will be for sale to non-members of the festival club.

There are 6,500 people on a ten-year waiting list to join the privileged 5,000 members who, because they get priority booking, often filled the old house. With tickets no longer like gold dust, however, Glyndebourne may lose the sparkle of elitism.

Sir George Christie, chairman of Glyndebourne Productions and son of the festival's founders, said that the change

in pricing structure made possible by the 50 per cent increase in seating "must be a move undeniably in a direction with which no person could reasonably quarrel". As well as the 42 standing-room tickets at £10, some seats will be on sale at £15. Top price will be £100.

The new building, the first opera house built in Britain since 1934, won general approval yesterday but seems certain to be provoke controversy in some quarters. Sir George, whose father, John, built the old theatre on to the Christie mansion, said: "Whether the new set-up works or not remains to be seen. We have tried diligently to disguise the bulk of the building by digging into the hill."

Even so, some may balk at the new slate-covered scenery fly-tower which is seen looming over the main driveway. Anthony Whitworth-Jones, Glyndebourne's artistic director, admitting that parts of the new building might ruffle feathers, said: "We could have done the fly-tower differently, but this design is what we decided."

Curtain up, page 37

60 million Americans see Adams on TV

By BEN MACINTYRE
AND ALEXANDRA FREAN

GERRY Adams, the Sinn Féin leader, flew into New York last night to be greeted with a media exposure usually reserved for visiting heads of state and pop stars.

Within hours of arriving at JFK airport, Mr Adams was scheduled to appear on CNN's *Larry King Live*, probably the most powerful television show in America with more than 60 million viewers, putting renewed pressure on the Broadcasting Act. Under the terms of the Act British viewers cannot hear Mr Adams's voice unless dubbed by an actor and therefore although Mr King's show is usually broadcast live throughout Europe at 2am, it was not shown this side of the Atlantic.

While the American public's perception of the president of Sinn Féin was being transformed by a media blitz from that of a vaguely understood foreign politician into an overnight celebrity European viewers were denied coverage of the visit.

"Even in the UK Adams has become less of a bogeyman than he was," Ray O'Hanlon, senior editor of New York's *Irish Echo*, said. "This is going to accelerate that process while making the British legal ban look pretty silly."

Douglas Hurd, the Foreign Secretary, speaking at Continued on page 2, col 5

Major will not let backbench dictate reshuffle

By PHILIP WEBSTER AND NICHOLAS WOOD

THE Prime Minister is expected to give short shrift today to demands for an early Cabinet reshuffle to promote right-wingers and freshen the Government's appeal before local and European elections.

Mr Major, who is to meet a deputation from the right-wing 92 Group of MPs, has let it be known that a reshuffle is a long way from his mind.

Senior ministers believe that Mr Major has no intention of reshuffling the Cabinet before the elections, even though the right clearly believes that it might improve the Government's position in advance of what are generally expected to be poor results.

It was being emphasised yesterday that Mr Major, and not a group of senior backbenchers, is responsible for shaping the Government. Some MPs said that to change the Cabinet now would give an impression of panic; others felt that it would be a waste of

time because it would not salvage the Conservatives' position in May and June.

But leading right-wingers believe that an injection of fresh blood is needed if Mr Major is to weather the storm of the forthcoming elections.

Mr Major suffered renewed criticism yesterday when George Walden, MP for Buckingham, said in a television interview: "I have rather strong criticisms of the tone of some of his speeches, which I think are juvenile. People don't like to be baby-talked."

In another rebuff for the Prime Minister, the local Conservative branch in Mistley, Essex, passed a no-confidence vote in his leadership.

The disclosure in *The Times* of today's meeting has caused embarrassment on the right. Sir George Gardiner, chairman of the 92 Group, is expected to apologise to Mr Major for the leak of the right's proposals. However, Sir George will stand by his shopping list.

Mr Major still seems likely to use the decision of Sir Norman Fowler to stand down as party chairman after the European elections as a springboard for a reshuffle.

Tory MPs are backing the claims of Jonathan Aitken, Michael Forsyth, David Heathcoat-Amory and Neil Hamilton, from the right, and Stephen Dorrell and Brian Mawhinney from the left, and want Michael Portillo to be given a department of his own.

Peter Riddell, page 5
Leading article, page 19

ARTHROSIS



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Buyers The Times overleaf
 Austria Sch 35; Belgium Frs 20;
 Canada Cdn \$ 75; Canada Frs 20;
 Cyprus Cyp £100; Denmark Dkr 16.00;
 Finland Mk 15.00; France Fr 12.00;
 Germany DM 4.00; Gibraltar Gp 20;
 Greece Dr 400; Netherlands Fl 4.00;
 Luxembourg Li 60; Madeira Esc 275;
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 Sweden Skr 17.00; Switzerland Sfr 3.50;
 Tunisia Din 2.00; USA \$ 5.00.



سكس من النحل

What now for our old industrial pals, the Japanese?

Psychiatrists believe that for the modern Western male the motor car is a phallic symbol. The theory was given an unexpected boost yesterday as MPs reacted to news that the Germans want to get hold of our Rovers.

All at once these cars became "vital", "strategic", "key" elements in industrial policy. To say that male back-benchers were crossing their legs would hardly be an exaggeration.

Rover is a big company. But so is Pizza Express. It is hard to imagine ministers rushing down to the Commons in a bid to defuse a huge political row over plans by a continental food manufacturer to invest in one of Britain's great

pizza makers. Suddenly, nuts, bolts, sheet metal, and the fairly widely leaked theory of the wheel and the internal combustion engine, became a British heritage, a national treasure to be defended from the prying eyes and grasping fingers of Greedy Fritz.

Tim Sainsbury was the unlucky minister assigned the task of explaining to two great parliamentary parties, both claiming at elections to believe in market economics and European co-operation, that these beliefs can in practice lead to the possibility that a company in one European country might buy a company in another. Many Tories did not seem quite to accept this.



MATTHEW PARRIS

POLITICAL SKETCH

To them, free trade means the British sell goods to foreigners, and buy their companies. Great Scott! It seemed to be happening the other way round!

Labour, normally paranoid about Japanese investment in Britain, now embraced the 14-year-old relationship between Rover and Honda with almost fearful nostalgia. What was to become of our old car-manufacturing pals, the Japs?

It was amusing to speculate on likely Opposition reaction had the deal been the reverse:

Rover buying BMW. Labour would have wailed that this must be to close down British factories and manufacture abroad. That (since BMW were acquiring factories in Britain) it was the German trade unions who should be alarmed, did not seem to occur to MPs.

The thought that BMW might intend Rover to manufacture motor cars struck only a minority as plausible. Could it be a ploy to throttle the competition? Mr Sainsbury protested that paying the be-

ter part of a billion, just to bury Rover, would be an expensive way of restraining trade, but the House remained suspicious.

Tim Sainsbury, with the hand-wringing manner of a courteous assistant draper, is plainly competent but hardly the man to rally the troops or vanquish the foe. More interesting, though, was the weakness of his challenger, Robin Cook, Labour's Industry shadow, is a formidable inquisitor and one of the best debaters in the House. Yesterday he was as fluent, cocky and accusatorial as ever.

So why does he fail to convince? Michael Foot once remarked that a good debater finds the weaknesses in his

adversary's case, but a great debater tackles its strengths. Mr Cook had all the right questions about the "sweeteners" to BAE in 1988, apprehensions in the workforce and concern about foreign ownership. They were easy themes to him, and he hummed them well. But on the great, enduring debate between protection on the one hand, and free trade and open investment on the other: on the wisdom of having sold off Rover at all; on Rover's (apparently) attractive prospects today... on all these points he was silent. Sliding neatly through the shrubs with his verbal machete, Mr Cook sidled quietly past the big trees. People do notice.

Britain champions Lawson for top post with OECD

BY PHILIP WEBSTER IN LONDON AND CHARLES BREMNER IN PARIS

THE former Chancellor Lord Lawson of Blaby is being backed by Britain for the £125,000 a year tax-free post of secretary-general to the Organisation for Economic Co-operation and Development.

The news took staff at the OECD by surprise last night and is likely to upset the French government. Jean-Claude Paye, the senior French civil servant who has been secretary-general since 1984, is running for his third five-year term.

The only other contender for the post is Donald Johnston, a former middle-rank Finance Minister in the Pierre Trudeau administration who is now president of the Canadian Liberal Party.

Last night, government officials, said Lord Lawson was being backed because his experience in office was directly relevant to the position. He has also been supported in the

past for the post of president of the London-based European Bank for Reconstruction and Development.

The OECD, based in Paris, aims to help its member states to formulate and co-ordinate policies to achieve high and sustained economic growth while maintaining financial stability.

The secretary-general is picked by the OECD's governing body, made up of the ambassadors of the 24 members which are the biggest developed nations. The decision will be made by the autumn.

If he got the job, Mr Lawson would draw a tax-free salary



Lawson: would have official home in Paris

of about £90,000 a month. He would be able to live in the secretary-general's official residence, a flat on Avenue Henri Martin in the grand 16th arrondissement, not far from the Chateau de la Muette, the OECD's headquarters.

The organisation, which was formed in 1961 from a earlier Europe-only body, is due to move to larger headquarters.

If he became secretary-general, one of Mr Lawson's first jobs would be to supervise the building of the new headquarters, possibly on a site at Quai Branly, on the banks of the Seine, which was proposed by the French government last month.

The OECD employs 1,900 staff in Paris and a small number in Bonn, Tokyo and Washington. Like international staffers at the United Nations, the World Bank and other organisations, they enjoy the income-tax-free lives of international civil servants. Senior executives also have diplomatic rank.

Mr Lawson would be only the fourth secretary-general. M Paye was preceded by Thorvald Kristensen, a former Danish Finance Minister, and Emil van Lennep of The Netherlands.



Mr Adams on board the Aer Lingus jet in Dublin yesterday bound for New York

TV millions hear Gerry Adams live

Continued from page 1

the UN building in New York, said the decision to grant the visa was entirely an American one. He added: "Adams has been and is associated with the terrorist campaign in Northern Ireland which is going on. The British and Irish Governments have made it clear that Sinn Féin cannot take part in talks about the future of Northern Ireland until the violence has ceased. The violence has not ceased."

Britain put a brave face on the American decision to grant the visa. As Mr Adams flew out, British Government officials urged the Americans to put pressure on Mr Adams to use the visit to announce a renunciation of violence and to accept the Downing Street declaration. A senior official said: "We very much hope that now Gerry Adams is in New York his hosts at this meeting

will demand in the clearest possible terms that the IRA gives up terrorism."

The Prime Minister would clearly have preferred the Americans to withhold a visa until Mr Adams had renounced violence. Now that the decision has been made he wants to avoid a rift with President Clinton.

Ulster Unionists launched a bitter assault on the Washington decision. The Rev Ian Paisley, leader of the hardline Democratic Unionist Party, accused the Clinton Administration of "kowtowing" to the Boston Irish lobby. He said of Mr Adams: "He might declare a very short ceasefire which will be hailed as a tremendous breakthrough. This is a propaganda exercise."

James Moynihan, the Ulster Unionist leader, accused the Clinton Administration of "presidential wobbling".

Agony aunts lobby Major on gay sex

HOMOSEXUAL young men feel isolated and confused because of the present age of consent, according to agony aunts.

Marje Proops, agony aunt for the *Daily Mirror* and *Sunday Mirror*, accompanied by other problem-page writers, today handed to 10 Downing Street a letter that appeared in yesterday's *Times*. Nineteen problem-page writers (including one "agony uncle", Nick Fisher of *Just Seventeen*) signed the letter, which supports the lowering of the age of consent to 16. They expressed concern for men who feel outcast because of their sexuality.

They said they cannot do their jobs properly because of the law. Mrs Proops, supported by members of the gay rights group Stonewall, said: "As the law stands, I cannot give any homosexuals under the age of 21 any advice because their activity is illegal. I see nothing wrong in 16-year-old youths expressing their sexuality with people they love. At 16, girls and boys know their sexuality."

Howard to retreat on police Bill

By OUR POLITICAL EDITOR

THE Home Secretary is expected tomorrow to bow to Lords' opposition to his police reform plans in a move to avoid embarrassing defeats.

Michael Howard is to drop plans for the Home Secretary to appoint paid chairmen of police authorities, described by Viscount Whitelaw last month as "a major change in the whole history of policing in this country". The chairmen will continue to be elected.

Mr Howard is also likely to allow some police authorities to be larger than the 16-member bodies envisaged. His move, after talks with Lord Whitelaw, a former Home Secretary, is expected to prevent the revolt that threatened the Police and Magistrates' Courts Bill, central to the Government's programme.

Ministers were taken aback by the scale of objections in the Lords and rapidly made plain that they would consider Lord Whitelaw's representations. Mr Howard is expected to table amendments for the committee stage in the Lords.

Councillor lay dead 'for up to ten days'

Dr Michael Dutt, the Westminster Council housing sub-committee chairman at the time of the "homes for voters" policy, lay dead for up to ten days before police found his body, St Albans Coroner's Court was told yesterday. Dr Dutt died from a single shotgun blast to the head, police told the hearing, which was adjourned until next week.

Officers found the body after worried colleagues at St Albans City Hospital, where Dr Dutt was a geriatric consultant, reported that he had not turned up for work. Police had to break into his two-bedroom flat in the town, where they found his remains last Wednesday evening.

Dr Dutt was among councillors named in the recently published auditor's report of Westminster Council's housing activities. He was apparently "aware of the scheme". It was revealed last week that he was also under investigation for his handling of a case at the hospital. The family of a patient cared for by Dr Dutt lodged the complaint 36 hours after his body was found. Dr Dutt will be cremated at a private family ceremony later this week. A full inquest will be held on February 7.

Farm incomes up 60%

Farmers' incomes soared by more than £1 billion in 1993, a rise of 60 per cent, according to government estimates yesterday. Gillian Shephard, Agriculture Minister, said the increase, which came on top of a 40 per cent rise in 1992, showed the farming industry was enjoying "a very substantial recovery" largely because of the Government's economic policies. But David Naisb, president of the National Farmers' Union, attributed the rise mainly to the "one-off effect" of the devaluation of sterling since its departure from the European exchange-rate mechanism.

100 police hunt killers

More than a hundred detectives are hunting for the men who kidnapped Grant Price, 43, in Gosport, Hampshire, on January 22, stole his car, stabbed him to death and left his body on a remote beach at Hurst Castle. Hampshire police are concentrating on trying to discover more about what happened to Mr Price's blue, L-registered Vauxhall Astra car after he disappeared from a car park in Gosport, to which he had returned to fetch his son's spectacles. Police have received more than 300 calls from the public.

Sentencing angers MP

An MP called for a judge's resignation after a former drug addict who broke a baby's leg and inflicted 22 other wounds walked free from Bournemouth Crown Court to join an anger management course. Patrick Weighell, 22, who admitted assaulting the child while he was meant to be looking after him for the mother, was sentenced to 18 months' probation by Judge Pryor. The Conservative MP Geoffrey Dickens called the sentence "appalling".

Council's referendum

Strathclyde council, Scotland's biggest local authority, said yesterday it plans to spend up to £700,000 on a postal referendum of its 1.7 million electors over Government plans to take water and sewerage services out of council control. Water services are at present run by regional councils. The Government plans to create three new water authorities with the power to attract private capital. The deadline for the vote, conducted by the Electoral Reform Society, is March 21.

Death suspect held

Police were yesterday granted permission to hold in custody for a further three days a man being questioned in connection with the murder of the businessman Terry Maidens, 34. Mr Maidens was shot dead by a gunman wearing a crash-helmet in the lounge of his home in Nunston, Warwickshire, on Wednesday last week. Colin Middleton, 40, of Bartley Green, Birmingham, was arrested on Saturday night at a hotel in Pithochry, Tayside.

Prison refit 'wasted cash'

Taxpayers' money was wasted in the £2.5 million rebuilding of the kitchen at Chelmsford prison, Essex, according to Judge Stephen Tummim, Chief Inspector of Prisons. The kitchen was too large and elaborate for feeding 300 inmates, says his report on the prison, published today. Big building contracts were not well managed, he adds. Derek Lewis, Director-General of the prison service, said new design approaches were being adopted to lower costs.

Spielberg the time lord

The BBC confirmed yesterday that it is holding talks with the American filmmaker Steven Spielberg, right, to produce a new series of *Doctor Who*, the cult science fiction television show. It said that Spielberg's production company Amblin Television had the kind of experience of special effects it had sought to give the 30-year-old series a Nineties feel. It is unlikely to be on air before next year.



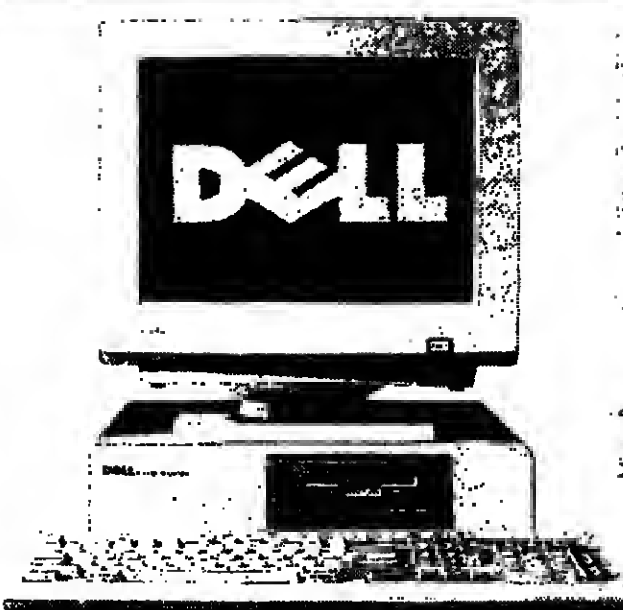
NHS regions redrawn

Virginia Bottomley, the Health Secretary, has confirmed that the number of regional health authorities is to be reduced from 14 to eight from April as part of a government drive to cut the cost of NHS reforms. Mrs Bottomley eventually plans to abolish the enlarged authorities, subject to parliamentary approval.

Hello! buys Stent's story

The mother of Tim Yeo's illegitimate daughter has sold her story to *Hello!* for a five-figure sum. Julia Stent, 34, told the magazine that Mr Yeo, a former environment minister, had regularly seen Claudia Rose, born last July. "I'm hoping they will have a good relationship... As I understand it, men are better with children when they are a bit bigger."

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MG, Triumph, Riley and Austin Healey could make a comeback

BMW backs revival of British classics

By KEVIN EASON, MOTORING CORRESPONDENT

THE tantalising prospect of the revival of some of the great names of British motoring was raised by BMW yesterday. Triumph and Riley badges, which disappeared in the merger mania and nationalisation of the Sixties and Seventies, could soon be back on the bonnets of cars made in Britain, and the MG name restored to its proper place.

The British motor industry has found an unlikely champion in Bernd Pischetsrieder, chairman of BMW, which has an association with the UK dating back to 1927. BMW was originally an aero-engine and motorcycle maker. It broke into car manufacturing by buying the rights to manufacture the Austin 7 under licence.

Herr Pischetsrieder also has a direct and close association with Rover: his uncle was Sir Alec Issigonis, inventor of the legendary Mini, now in its 35th year of production with Rover. The close bond has engendered a deep affection for British cars, particularly the two-seater roadsters killed off by nationalisation and recession. The BMW chairman singled out MG and Riley as two names he would like to see back in the market place as soon as possible, a boost for Rover's plans for a new MG sports car.

Executives at BMW's headquarters in Munich have been researching which names could most easily make a comeback, and sports cars such as Triumph and Austin Healey are thought to have scored highly alongside MG. Herr Pischetsrieder said: "I won't promise that there will be an Austin Healey in the future, but I would very much like to see it."

His attitude contrasts starkly with the indifference of a generation of executives who consigned some of the most famous names in motoring history to the dustbin. Humber and Standard, with the great motoring dynasties of Sir Herbert Austin and William Morris, later Viscount Nuffield, were absorbed in the huge shake-up of the motor industry in the Sixties.

Rover, a Coventry bicycle manufacturer, built its first car in 1904 but remained a relatively small player until the company was absorbed into the burgeoning British Motor Holdings empire in 1966 and became part of a vast stable that included Jaguar, Austin, Morris, Riley, Wolseley and Standard.

MG and Triumph sports cars, among the world's most famous, were dumped ignominiously. British Leyland became the world's second biggest car maker, but its name was synonymous with all the industrial evils that beleaguered British industry.

Debts mounted to such a scale that the Government nationalised it in 1975, a move that failed to solve the huge problems confronting a business better known for strikes than for cars. It was the time of Derek Robinson, the infamous union convener at the Longbridge plant, better known as Red Robbo.

Nearly £2.8 billion of taxpayers' money was poured into BL as Sir Michael Edwards was called in to save Britain's only indigenous volume car maker. The remedy was brutal and effective: the badges not immediately wanted for the Edwards revival plan were dropped.

When Graham Day took over as chairman in 1986, his clear purpose was to concentrate on the Rover badge. He believed Rover could eventually become as revered for its quality cars as another European manufacturer — BMW.

Herr Pischetsrieder said: "It is our objective to guide two independent and powerful automobile manufacturers on a common route in a competitive world market."

George Simpson, chairman of Rover, added: "Rover has a real business opportunity linking with Europe's strongest car manufacturer."

Mr Robinson, however, condemned what he saw as "a rip-off for the taxpayer". Now 66 and retired, he said from his home in Birmingham: "British Aerospace bought Rover for £150 million and now they are selling it for £800 million. It just shows the duplicity of this Government."

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The best of British — a 1954 Austin Healey 100

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Rover, a Coventry bicycle manufacturer, built its first car in 1904 but remained a relatively small player until the company was absorbed into the burgeoning British Motor Holdings empire in 1966 and became part of a vast stable that included Jaguar, Austin, Morris, Riley, Wolseley and Standard.

MG and Triumph sports cars, among the world's most famous, were dumped ignominiously. British Leyland became the world's second biggest car maker, but its name was synonymous with all the industrial evils that beleaguered British industry.

Debts mounted to such a scale that the Government nationalised it in 1975, a move that failed to solve the huge problems confronting a business better known for strikes than for cars. It was the time of Derek Robinson, the infamous union convener at the Longbridge plant, better known as Red Robbo.

Nearly £2.8 billion of taxpayers' money was poured into BL as Sir Michael Edwards was called in to save Britain's only indigenous volume car maker. The remedy was brutal and effective: the badges not immediately wanted for the Edwards revival plan were dropped.

When Graham Day took over as chairman in 1986, his clear purpose was to concentrate on the Rover badge. He believed Rover could eventually become as revered for its quality cars as another European manufacturer — BMW.

Herr Pischetsrieder said: "It is our objective to guide two independent and powerful automobile manufacturers on a common route in a competitive world market."

George Simpson, chairman of Rover, added: "Rover has a real business opportunity linking with Europe's strongest car manufacturer."

Mr Robinson, however, condemned what he saw as "a rip-off for the taxpayer". Now 66 and retired, he said from his home in Birmingham: "British Aerospace bought Rover for £150 million and now they are selling it for £800 million. It just shows the duplicity of this Government."

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'Biggest car boot sale' splits motor city

By RICHARD DUCE

BIRMINGHAM was divided yesterday by the decision to sell Rover to BMW, ending almost 90 years of domestically owned mass car production at the city's Longbridge plant. Some expressed anger and betrayal at British Aerospace's decision. One union official called it the "biggest car boot sale in history".

Yet many workers at the plant, opened by Herbert Austin in 1905, believe the £800 million deal with the German company will lead it to a bigger share of the European car market. Those in favour of the move were happy to be identified outside the factory gates yesterday.

Those against it preferred to express anonymous outrage. "It is the last bastion of British industry gone. We were never told anything. What do we matter?" one said. The first the workforce knew of the sale was in yesterday's news bulletins.

John Tomlinson, Birmingham West MEP, said: "The heartland of the industrial West Midlands can just be bought and sold from under our noses without any of the people who have invested livelihoods in the company having any say in what is going on."

Dennis Mills, of the West Midlands Transport and General Workers' Union, said: "It must be the biggest car boot sale in history. I understand from



Tomlinson: wanted staff to be consulted

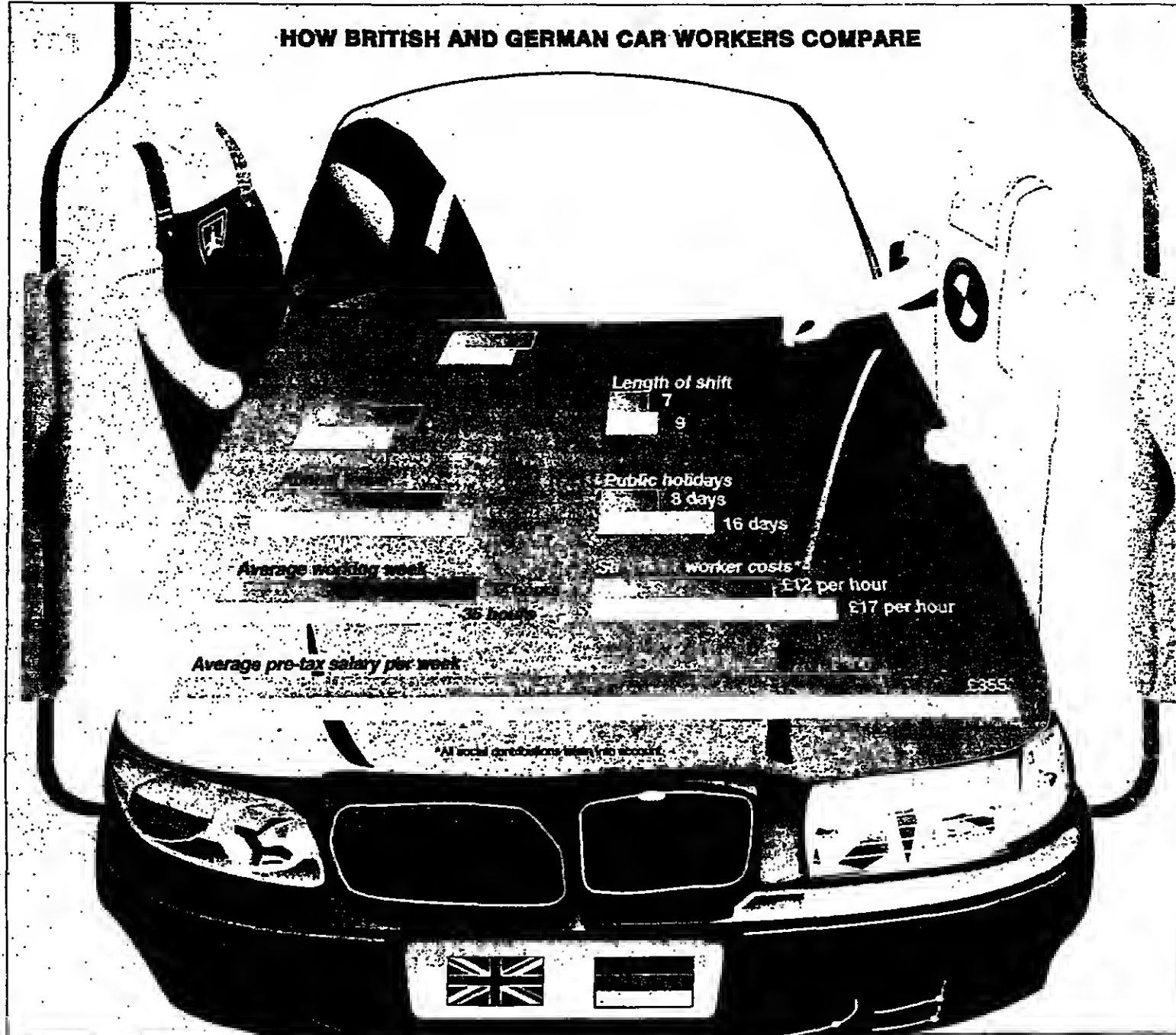
my sources that nobody knew what was going on until this morning. If that is right, it is disgraceful that British Aerospace should sell the company over their heads."

Such views were not necessarily echoed by the workforce. As the 2pm shift began yesterday, Dean Jones, 30, said: "It just goes to show how good the product is and it proves to the public that we make high-quality cars."

Anthony Hoffman, 52, a Longbridge worker for 22 years, was equally hopeful. "As long as they keep us an independent company and do not just absorb us into their own organisation I cannot see any harm. We will have a corporation which will think of our future in cars and not just a subsidiary to British Aerospace."

Steven Short, 33, said: "This is good news. BMW are car makers and understand how a car company works."

Patriotism still counted with some. "It is like saying Toyota is British," said one worker.



German workers enjoy richer rewards

By EDWARD GORMAN AND ROGER BOYES

GERMAN workers at one of BMW's three main manufacturing plants went on a short strike yesterday.

While the industrial action at Dingolfing in southern Germany — part of a campaign for a 6 per cent wage increase this year — has nothing to do with the takeover, it shows that workers at BMW are more likely to strike than their British counterparts.

As Rover managers proudly pointed out, the British company has avoided industrial action for ten years after a rocky time in the 1970s. It is the strike-prone Germans, however, who enjoy the superior working conditions, costing BMW a lot more per hour than workers at Rover. German analysts

speculate that the takeover could herald the demise of the relatively charmed lives of German production line workers. The shopfloor car worker at BMW costs his company about £17.80 an hour after all social contributions are taken into account. His counterpart at Rover costs around £12 an hour.

BMW employees expect perks, including cheap housing, subsidised mortgages, package holidays and health insurance. Only the latter is available at Rover, which offers a company-sponsored scheme.

German workers also enjoy 30 days of annual leave and a further 16 days of public holidays. This compares with 25 days' holiday in Britain and eight days of public holiday.

BMW workers earn £355 a week on

average before tax, compared with £300 in Britain. The average working week at BMW is between 35 and 38 hours, roughly the same as at Rover which averages 37 hours. The German factories operate three shifts every 24 hours, each lasting nine hours; at Rover up to five shifts are fitted in every day, each lasting seven hours.

Both companies offer variable tea-break arrangements with some shifts taking five minutes off every hour while others take one 15-minute break every three hours. It is difficult to make a direct comparison in terms of productivity. Workers at Longbridge produce 35 cars per man per year. A BMW spokesman said his company produces "slightly more cars with more people".

Neither company is offering its

workforce much overtime at present with Rover putting this down to increased efficiency, while BMW points out that it remains the only German car manufacturing company not on short-working. But the Germans get far more in bonuses, with a month's extra pay automatically every Christmas and as much as two other extra months' pay spread over the year. Rover says bonuses depend on company profitability.

Both firms offer cars to employees at a discounted rate, with Rover offering 25 per cent off and BMW a variable rate depending on the model. With fear of unemployment growing in the German car industry, the takeover received a lukewarm response from BMW workers, whose first reaction was that jobs could go.

Merger creates company to take on world

By KEVIN EASON, MOTORING CORRESPONDENT

THE merger between BMW and Rover will create a business capable of making more than a million cars a year.

It is also potentially one of the most successful in the world with a line-up of models ranging from the £5,000 Mini to a £77,000 BMW sports car.

Fears among unions and MPs that Rover would be the victim of wholesale rationalisation were swept aside yesterday that the British company's model range was a "perfect fit" for its own.

The German company gets the benefit of British expertise in small car technology and big car qualities such as wood and leather trimming as well as the top prize in the deal — Land Rover, the most desirable vehicle-making business in the world at the moment.

Rover gets security of ownership, access to BMW technology and help in new markets across the world, including the USA where BMW is the most successful European importer.

BMW sees the merger as

bringing together Rover, with 75 per cent of its sales in small, front-wheel-drive compact cars costing £5,000-£15,000, and BMW, which specialises in upmarket, rear-wheel-drive sports saloons costing £15,000 and more.

Dr Wolfgang Reitzle, BMW's director of research and development, said: "We bring different qualities and that is why this merger is so attractive to both sides."

BMW was already in the advanced planning stages for

a small "town" car and a four-wheel-drive sports utility vehicle. Those projects could now be killed off with Rover technology at hand.

Rover has its own British-developed K-series engine, which powers the Metro and 200 and 400 models, and which has won so much praise that it was once the target of Ford.

However, Land Rover is the plum. The company, based at Solihull, West Midlands, had record sales last year and is

thought to have made a profit of about £100 million while the rest of the motor industry is in the doldrums.

BMW will exploit Land Rover to the full, possibly using its four-wheel-drive expertise for BMW sports saloons and giving Land Rover access to BMW showrooms.

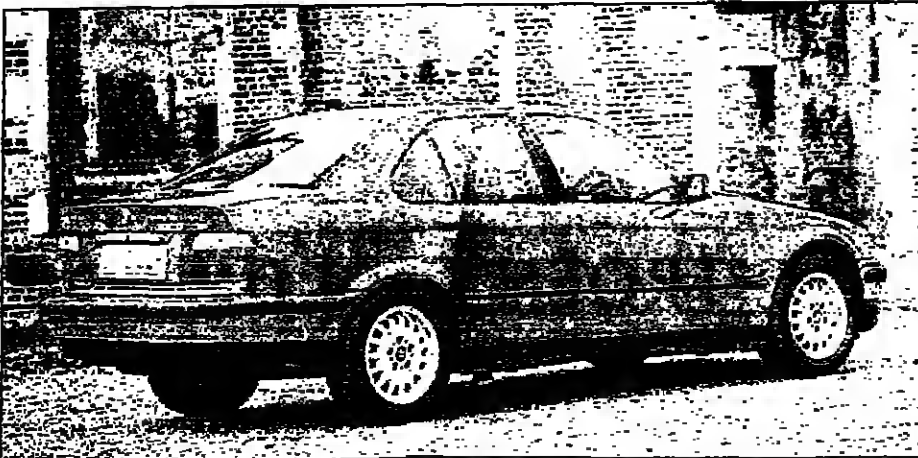
The only stumbling block for Rover's progress may be the attitude of Honda. The Mini, Metro and MGRV8 are the only models to have been developed without the co-operation of Rover's long-term Japanese partner. Rover and Honda are sharing the 50:50 development cost of a replacement for the 200/400 models, due for launch next year.

If Honda decided to cut its ties, both parties would lose that development investment and time to introduce a new car while rivals are bringing out new models.

Dr Reitzle predicted that, with or without Honda, Rover was capable of providing a complementary range of cars backed by BMW investment estimated to be worth up to £250 million a year.

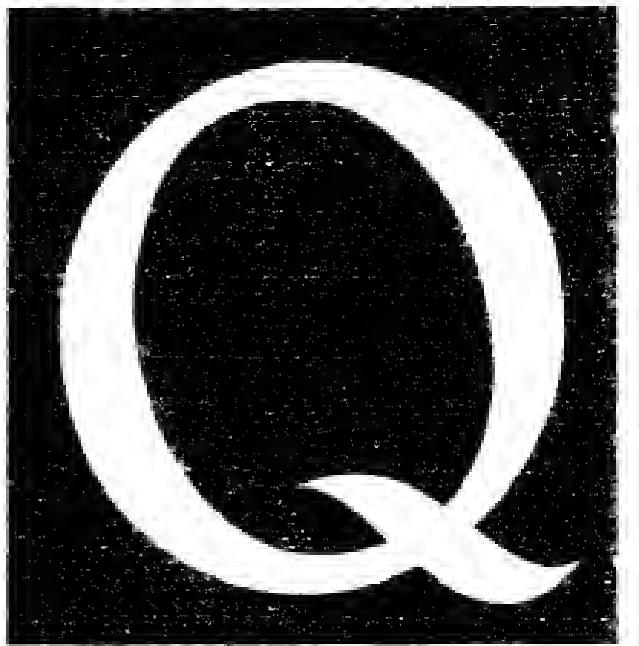
Of the current model ranges, only the Rover 600 and 800 are in direct competition with BMW cars, the 3-series and the 5 and 7-series. It seems likely the 600 will remain in the Rover range because it was launched only last year and is important to fleet buyers in the UK.

The future of the Rover 800 may also be assured. BMW is contemplating basing the 800 replacement model due in 1996 on the floorpan and mechanicals of the new 5-series, which is scheduled for manufacture in 1995.



A 3-series BMW from a model range highly regarded in the luxury car market

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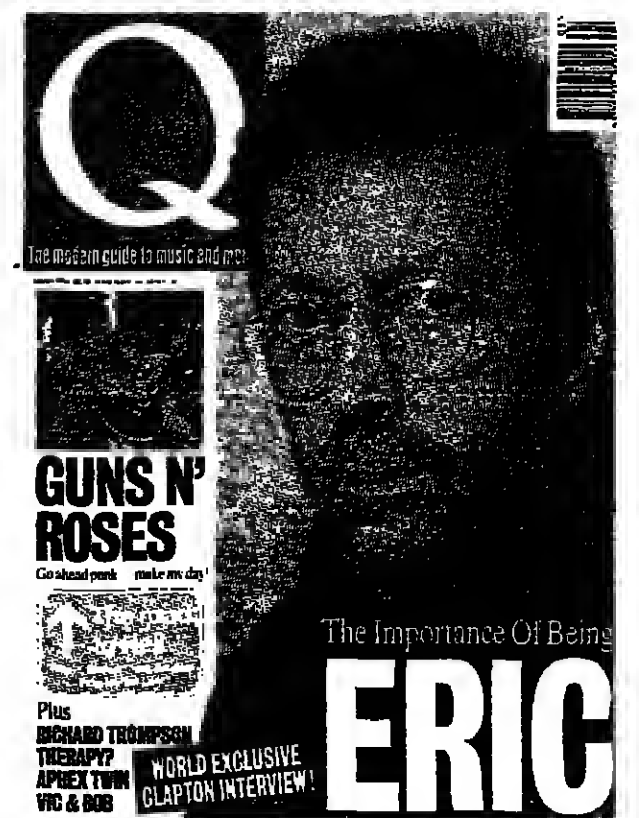
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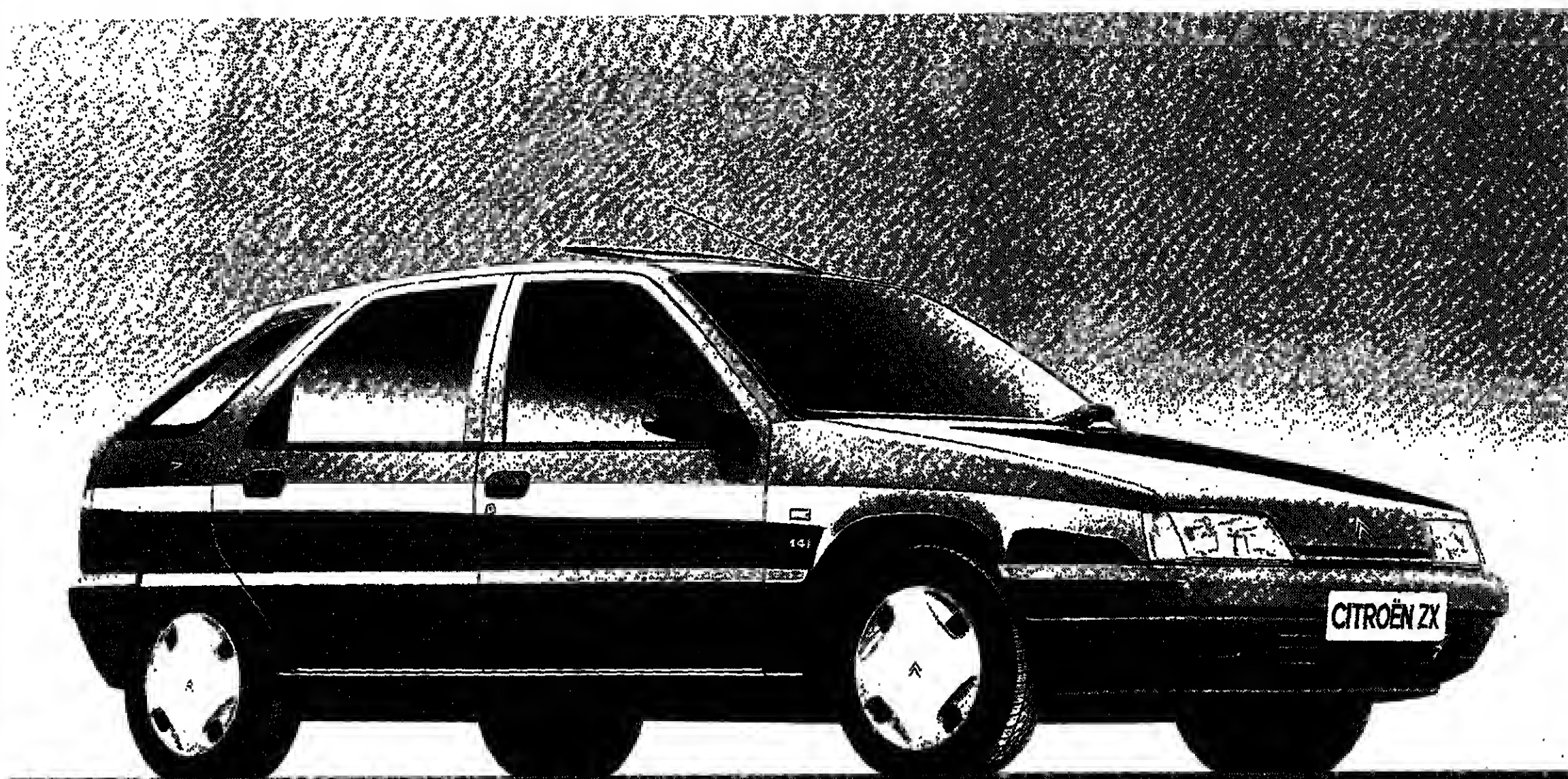


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Major
revolt on
council plan

on MPs rally
defend Somers

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CHILSHIRE

Backbenchers warn Major of revolt on council plans

■ The Government may face a rebellion as damaging as that over the poll tax if it insists on the abolition of shire counties

By ALICE THOMSON

JOHN Major is facing a humiliating defeat on proposed local government changes from backbench Tories across England, with Conservative MPs in Kent, Hampshire and Cleveland joining MPs from the West Country and Yorkshire to denounce the plans.

One minister, at least 15 backbench MPs and one former minister have said they are likely to vote against the proposals.

The Local Government Commission, the judiciary and many businesses also oppose the plans to abolish shire councils in England and to amalgamate as many districts as possible into unitary authorities.

Yesterday, the High Court granted Avon and Cleveland county councils leave to challenge the proposals for reorganisation of their areas. On Friday, after applications by Derbyshire and Lancashire, the court ruled that John Gummer, the Environment Secretary, had exceeded his powers in favouring unitary authorities.

The DoE is expected to announce today whether it will appeal against the decision. Backbench Tories say the Government could face a string of costly legal challenges. One member of the Local Government Commission, which supports a more pragmatic approach than the

government's guidelines, said: "The court case on Friday has changed the whole ball game: the existing two-tier system is now firmly back on the agenda."

Backbenchers have flooded the DoE with complaints about the reform, which has been estimated to cost up to £1.1 billion and may put £45 to £60 on council tax bills in 1996.

One of the opponents in Hampshire, Millie Milligan, MP for Eastleigh, said: "I hope good sense will prevail. Hampshire has been in existence since AD 727, it is the most efficiently run council in Britain."

A backbencher in Kent said: "Like the poll tax, this is an accident waiting to happen. Voters will rebel against the expense."

Anthony Steen, one of several MPs from Devon who saw Mr Gummer yesterday, criticised the Local Government Commission. "The insensitive way in which it is handling the case is turning Tory against Tory," he said.

The Independent Local Identity Agency has sent a briefing paper to all MPs about the implications of the changes. "I am amazed at the response we have had, from disgruntled backbench MPs," Julian Wolfson, co-founder of the agency, said. "John Major cannot afford to force change on his own MPs or an unwilling public."

Carnival queen accused of assault

By A STAFF REPORTER

A CARNIVAL queen was punched and kicked by a rival after they competed for the Miss Cornish Tin crown. Truro Magistrates' Court was told yesterday.

Heidi Darke, 14, claims she suffered a black eye after the attack at the contest in Chacewater, Cornwall. Heidi, who as Miss Penryn came second in the competition, said she was set upon by Samantha Lowe, 22, who as Miss St Columb came third.

"I went back to sign for my trophy when she tapped me on the shoulder and said 'I have been gunning for you,'" Heidi told the court.

When she returned to the changing rooms, Miss Lowe came in and grabbed her hair. "She pushed me and hit me. I fell on the floor and she kicked me on the shin. I was lying on the floor and she started pushing my mum. She hit my mum on the forehead," Heidi, from Bodmin, said.

Miss Lowe, from



Samantha Lowe, left, and Heidi Darke, who claims she was kicked and given a black eye by her rival

Newquay, denies assaulting Heidi and her mother Rosemary last August.

The court was told Miss Lowe had admitted to police that she had hit Heidi and her mother. She said in a

police statement that she had been provoked "beyond endurance". Miss Lowe told police: "Her dad walked into the changing room while I was in my bra and knickers and said I had called her a

slut." Miss Lowe said she was "mad" because the teenager had been saying things about her. "I really had enough of her. She was running me down to the ground," Miss Lowe said.

She said that Heidi had called her "slut, slag and bitch". Under cross-examination, Heidi agreed that she had had "words" with Miss Lowe, but denied calling her a slut. The trial continues.

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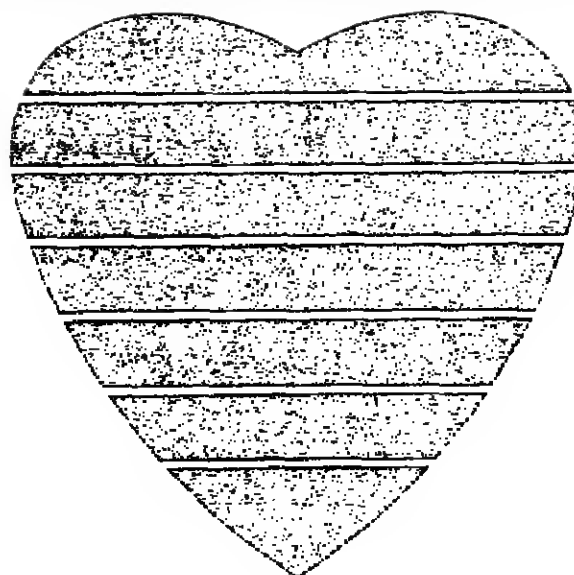
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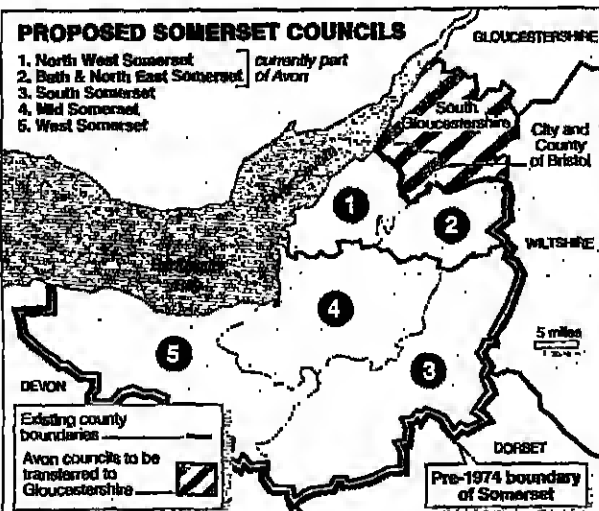
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Tory MPs rally to defend Somerset

By IAN MURRAY

WITHIN days of the Local Government Commission presenting its recommendations for dividing up Somerset into a patchwork of new unitary authorities, a Save Somerset Campaign had sprung up, led by Adrian Prior-Sankay, a Baptist minister and staunch Liberal Democrat.

He quickly found the local Tory MPs, including Tom King, the former Defence Secretary, were among his strongest supporters.

David Heathcoat-Amory, the MP for Wells, has warned the Government he will vote against the proposals. He said: "I agree in principle with setting up unitary authorities wherever they make sense, but not if they conflict with patterns of loyalty. Somerset is the last place to conduct an experiment on the ground. The boundaries they have

chosen just don't make sense. You can't just tear up the map of Somerset."

"I think it will be resented and I think we will lose public confidence if we railroad this thing through. I am not taking a political stance. Labour and Tories are united."

David Nicholson, MP for Taunton, said: "I will definitely vote against this. My mail against it has been immense and the gut feeling of everyone is that it is wrong. All the parties in my constituency are against it."

A spokeswoman for the commission denied the proposals lacked support. She said: "We put a questionnaire through every letterbox in the area and had 35,000 replies. This has probably been one of the most democratic ways of looking at local government that has ever been invented."

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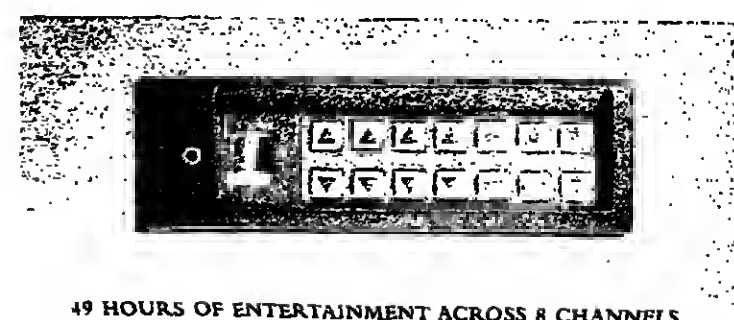
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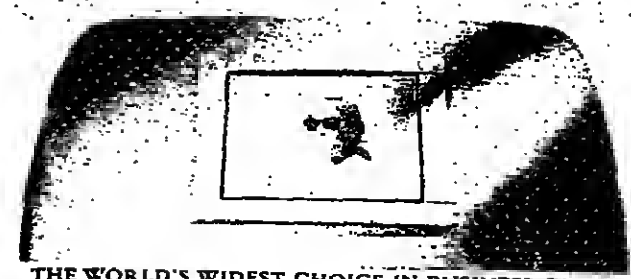
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'It is a whole sensation; you hear it, feel it as well as seeing it — a totally wasteful way to die'

Avalanche survivor says off-piste skiers should not be afraid

By SUSAN BELL IN VAL D'ISÈRE AND EMMA WILKINS

THE doctor who survived an avalanche in the French Alps said yesterday that he hoped Britons would continue to ski off-piste.

"I don't want people to be scared of skiing because of what has happened," said Dr Christopher Ackner, 44. "I don't want people to think that all off-piste skiing is dangerous. The whole point is to minimise the danger, not to go looking for it."

Dr Ackner, who has been skiing for more than 30 years, spoke yesterday from the hospital at Bourg-St Maurice where he was recovering after the accident in which six of his companions died. "Reflecting on his survival, he said: 'I am extremely, extremely lucky.'"

Dr Ackner had waited 24 hours before he was rescued. Dr Ackner owed his life to his position as the last in line of his party of skiers. He saw his friends and ski guide being swept away by a 40m wide slab of snow, and tried to ski out of its path.

He was buried less deeply than the others to his party, and was able to claw his way slowly to the surface.

Dr Ackner survived by digging a snow hole to protect himself from the overnight temperatures of -15C.

He described the avalanche as "a deep-throated crump — it's a whole sensation; you hear it, feel it as well as seeing it". It was "a totally wasteful way to die".

Dr Ackner, who said he was still feeling confused, plans to meet the bereaved families of the other skiers to tell them what happened. He also hopes to create a "fund" for the relatives, although he said: "No amount of money will take away the pain those families are suffering."

After being released from hospital yesterday, Dr Ackner planned to fly back to Britain to join his wife and two children, aged eight and six. Douglas Cox, Tyrie, the insurance company which covered the party of 60 doctors for their week in Val d'Isère, will pay £10,000 to the family of each of those who died.

Hugo Ferrier, 30, the ski guide killed with the doctors, was described last night as a cautious man who had refused to take a risk with the skiing party the day before the avalanche. He worked for the ski school Snow Fun, headed by Philippe Caillot.

Peter Davidson, a chartered civil engineer who had joined the British doctors for the week with his GP wife, said that Mr Ferrier knew the mountains thoroughly. Urging the French government to set up a safety system whereby skiers could log in and out when they were skiing off-piste, Mr Davidson said he was concerned that the alarm had not been raised for 24 hours after the avalanche.

"I heard Hugo arranging to meet them at 8.45am and I knew they were going off

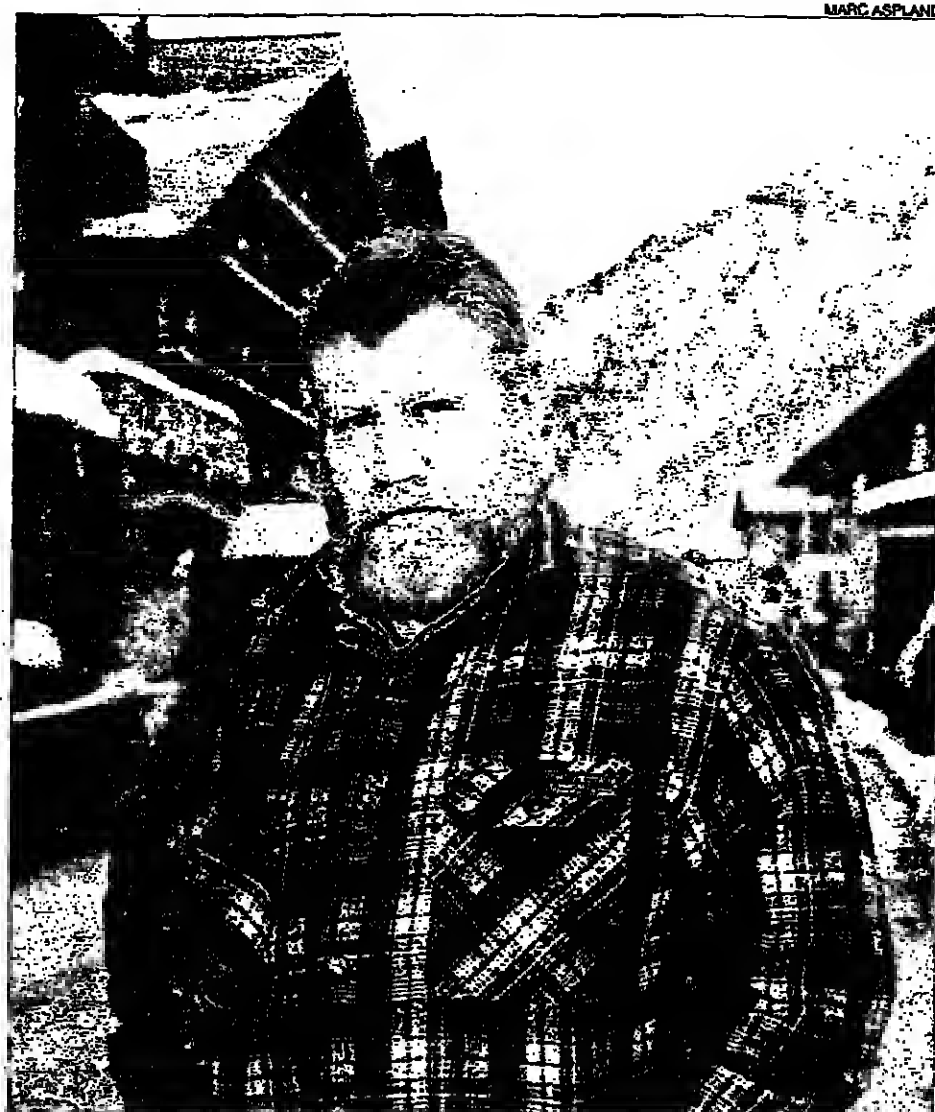
together for the day. We were sitting in the restaurant after dinner at about 9pm, wondering where they were, but by then these guys had been dead for hours. When they didn't show up, we assumed they must have gone to another bar for a drink. If there had been some central place where we could get information, we would have tried to find out what had happened. As it was, we became more worried towards midnight, and assumed they must have found some mountain hut for the evening. The day before the tragedy, Mr Ferrier had declined to take the party down a dangerous route, Mr Davidson said.

"Hugo was a cautious guy. The day before, there was the possibility of the group doing something slightly dangerous, but he said no. They all treated safety very seriously."

There are no guidelines for how experienced a skier must be before they can go off-piste, but the usual minimum is about 15 weeks' experience.

Skiing has about the same risk of death as rugby, Dr Michael Turner, medical adviser to the British Ski Federation and medical director of the British Olympic Association, said. "Skiing is basically a safe sport — driving your car is eight times more dangerous and rock climbing is 50 times more dangerous," he said.

Of all the deaths that occur on the ski slopes, one third are heart attacks. Discounting those, the number of deaths comprises 52 per cent in avalanches; 27 per cent in collisions (mostly with trees); 13 per cent in falls from precipices; and 8 per cent after falls on the slopes. In an avalanche, most victims die after about four minutes from asphyxia.



Philippe Caillot, left, head of Snow Fun, the ski company that employed Hugo Ferrier, right, the careful guide who died in the avalanche



Snow holes decide life or death under the ice

By GILLIAN BOWDITCH
SCOTLAND CORRESPONDENT

THE ability to dig a snow hole has often proved the difference between life and death for climbers in difficulties in Scotland.

Making a proper snow hole requires training and, according to Alf Ingram, secretary of the Mountaineering Rescue Committee for Scotland, can take up to two hours.

"To dig a proper snow hole you need a shovel, which most people don't carry," he said. "But with an ice axe you should be able to cut a trench and cover it with snow blocks within about 20 minutes."

Hamish McInnes, leader of Glen Coe mountain rescue team and one of Britain's most experienced climbers, says the secret is to dig the hole into the side of a secure slope and make the entrance as small as possible. "By digging upwards you can trap the maximum amount of warm air," he said. "It is important to keep a clear airway by sticking your ice axe in the entrance and twiddling it around from time to time. A proper snow hole can be very warm and cosy and you can stay there indefinitely."

Climbers who use snow holes need to mark them clearly so that rescue teams have a chance of finding them. The Rev Robert Anderson, a 36-year-old Church of Scotland minister, survived 15 hours in a snow hole in Glen Coe last month and was discovered when rescuers noticed his skis lashed together in a cross.

Mr Ingram said that the main purpose of a snow hole was to keep out of the wind. In Glen Coe last month, biting winds reduced the temperature to -20C, Arctic conditions. "In a snow hole the temperature is constant at around zero and it can be a life saver."

Mr Ingram believes a plastic survival bag, costing about £5, can be almost as effective as a snow hole and should be a standard part of any climber's kit. Mr McInnes and Mr Ingram agreed that digging a snow hole should be a last resort. "If you can get down off the mountain, do so," Mr McInnes said.

Scotland's mountain rescue teams have carried out 25 missions so far this year; four people have died. Last year the record number of 54 deaths outstripped the number of road deaths in the Highlands for the first time.

A spokesman for the Northern Constabulary, which co-ordinates the rescue effort from its base at Inverness, said that climbers continued to ignore local weather conditions. "What sometimes happens is that they drive 300 miles or more for a particular climb and go ahead anyway, despite the weather."



Ackner hopes to create a fund for relatives

Guides put faith in backpack balloon

By A STAFF REPORTER

A BACKPACK that inflates like a balloon when the skier is caught in an avalanche could save lives, the Ski Club of Great Britain said yesterday. Although the Avalanche Balloon System (ABS), made in Germany and Switzerland, is not available in shops in Britain, it has been tested and proved to work.

David Hearn, the club's information director, said: "They have been tried by mountain guides and the feeling is that they do work."

The buried skier pulls a cord to inject 150 litres of gas from cartridges into the balloon, which is fully inflated within five seconds. This then makes his body lighter than the snow and he is pulled to the surface.

The ABS, which cost £300 each, are carried in a "fairly hefty" rucksack on a skier's back. Mr Hearn said: "The disadvantage with them is that they are expensive and cumbersome — and even if you do carry one, it is no guarantee that you will survive an avalanche."

The Prince of Wales's ski guide, Bruno Sprecher, advises his clients to use the ABS. "I know dozens of skiers who have been saved by them," he said from his ski school in Klosters, Switzerland.

The ABS balloon inflates within five seconds when the skier pulls a ripcord. Gas cartridges inject 150 litres of gas into the air bag. The skier then becomes lighter than the snow and floats to the surface.

The Ski Club recommends avalanche transceivers, which cost £140-£180 and are available in ski shops. The same

size as a personal stereo, the beepers give out a signal that can help rescuers to locate the buried skier to within half a metre.

"The disadvantage with the transceivers is that they rely on the fact that someone will survive the avalanche and be able to find the buried person," Mr Hearn said.

Several other safety devices for skiers are also available for sale in Britain.

Survivor's plea, page 1
Body and Mind, page 17
Snow reports, page 40

Potholer free after 24 hours

A POTHOLER was rescued yesterday after being trapped three miles underground for almost 24 hours.

Matthew Ward, 30, was caught in the Darren Cillau caving system near Llangatock in the Brecon Beacons, Powys, by a rock fall. Rescuers who had worked with their bare hands to reach him used hydraulic jacks to lift boulders that were trapping his legs. Mr Ward helped to clear the debris surrounding him.

With help, he was able to hobble the three miles to the surface, where an ambulance took him to Nevill Hall Hospital, Aberystwyth.

Mr Ward, from Chepstow, Gwent, is a member of a Bristol caving club. An experienced caver and mountaineer, he was fully equipped.

He was stranded by the rock fall on Sunday night as he and companions were making their way out of the cave system. The rest of the group scrambled clear and raised the alarm.

Woman wins £40,000 after doctors missed skin cancer

By EMMA WILKINS

A WOMAN who was treated for a mole on her leg seven years ago was awarded £40,000 damages yesterday after doctors admitted failing to diagnose skin cancer.

Claire Cheetham, 28, from Ripley, Derbyshire, may have only months to live and has been unable to start a family with her husband Francis, 33. Mrs Cheetham, a bank cashier, first visited a doctor in 1987 because she was worried by the mole on her left thigh. The mole, which had started bleeding, was frozen off and Mrs Cheetham believed the problem had been solved until four years later, when her thigh became tender.

A lump was removed in hospital in 1991, but Mrs Cheetham was not told it was malignant and no further action was taken until months later when more lumps appeared.

Mrs Cheetham began a series of operations and chemotherapy in January 1992, but her condition had become

terminal, her counsel, Jeremy Stuart-Smith, told Mr Justice Otton at the High Court in London.

The judge said Mrs Cheetham had undergone "the most extreme pain, suffering and anguish" over the last few years. "It shines out that she has faced this ordeal with courage and fortitude which is an encouragement to all who have suffered disaster in their lives."

Dr Warwick Hunt, of Dryland Surgery, Kettering, Northamptonshire, Kenneth Callum, a consultant surgeon, of Derby Royal Infirmary, and South Derbyshire Health Authority all admitted negligence.

Alison Hampton, counsel for the hospital and the authority, said they very much regretted that a vital report on Mrs Cheetham was overlooked. Procedures had now been changed.

Afterwards, Mrs Cheetham said she had pursued the case in an attempt to prevent future

mistakes. "I will be happy as long as it saves other people. I had looked forward to having a family, but that is impossible and I can no longer go back to work."

"I miss all the sports I used to enjoy like rock climbing, riding and parachuting."

Doctors have told her that her condition is now so unpredictable that she could live for a month, two years or even 20 years.

Most adults have between 20-50 moles on their bodies and should not be alarmed by the case. Professor Rona MacKie, professor of dermatology at Glasgow University, said yesterday.

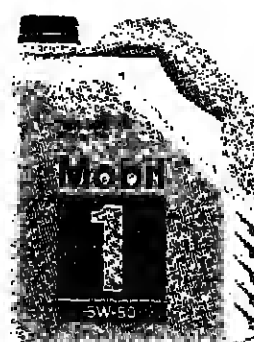
Fewer than 1 per cent of moles become malignant, she added. "If there is any change in size, shape or colour in moles on adults, then they should be treated with caution and looked at by the family doctor." Many moles changed in a benign way but it was worth having them checked at the surgery.



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Radio 1 loses audience share

By ALEXANDRA FREAN, MEDIA CORRESPONDENT

THE weekly audience of BBC Radio 1, which has reorganised its presenters and schedules in the past few months, dropped more than 2 million to 14.3 million in 1993, according to the Radio Joint Audience Research Limited (Rajar).

Although it remained the nation's most popular radio station, its audience share fell from 22.4 per cent to 17.1 per cent last year. Overall, listeners to BBC radio fell 2.4 million to 26.5 million in the year to December 1993. In the same period, commercial radio added 1.7 million listeners, bringing its weekly audience to 26.5 million and giving it 42.8 per cent of all listeners. Matthew Bannister, controller of Radio 1,

said he expected the station's audience to decline further as a result of changes introduced in the first two weeks of 1994. He expected the audience to stabilise in the medium term.

Twelve new independent, local stations and one national network went on air in 1993. A further seven local channels and five regional services will be launched this year.

The results come at a crucial time for the BBC, which is the subject of a government review. While the corporation needs to prove it produces distinctive material that would not be made in the commercial sector, it also has to attract audiences large enough to justify continued public funding.

Social justice study poised to support Smith's promises

By Jill Sherman
POLITICAL CORRESPONDENT

LABOUR'S social justice commission is likely to support universal benefits and a national minimum wage when it produces its blueprint for social reform later this year.

After a brainstorming session last weekend, the commission agreed in principle to retain child benefit and state pensions as universal payments. Finalising the main themes of the report, members also supported a "regulated labour market", based on a national minimum wage.

The decisions will come as a great relief to John Smith, the Labour Leader, who personally favours keeping child benefit, despite the high cost of £6 billion a year. He also promised the Trades Union Congress last September that he would introduce a national minimum wage. Last week Gordon Brown, the shadow Chancellor, denied that the party had any spending pledges, but officials have purposely left the minimum wage issue in the air.

The commission, chaired by Sir Gordon Borrie, insists that its work is entirely independent of the Labour Party, but senior party officials claim that the election manifesto will be largely based on Sir Gordon's report.

Sir Gordon told his fellow commissioners at the meeting that they were on track to

Sir Gordon Borrie's blueprint for social reform is likely to include universal benefits and a minimum wage

"produce a radical and far-reaching blueprint for economic renewal and social reform". However, modernisers in the party will be disappointed that the commission has already backed away from a more fundamental reform of universal benefits.

A pamphlet from one of the commission's three working panels was heavily criticised by those on the left of the party after giving six options for child benefit, including means testing the payment. Last weekend the commission rejected means testing. However, the final report may suggest that the benefit, while still going to everyone, could be targeted more effectively by taxing the payment for wealthier families.

One of the key themes which emerged at the weekend meeting was the urgent need to address child poverty. One in three children in Britain now lives in poverty, according to a pamphlet published by the commission. "There was a real sense of moral outrage about child poverty," one official, who attended the meeting, said.

The commission is expected to call for a radical overhaul of other family benefits to

remove perverse incentives which stop people from seeking work. Its report is expected to focus on ways of increasing employment and economic opportunity. It is likely, for example, to recommend greater help with childcare to ensure that more women are able to work.

The commission has examined the advantages of integrating tax and benefit, but has concluded that this would be too complex for most groups. It may, however, recommend integration for pensioners.

The report will not be an uncensored shopping list. While the commission will not draw up a detailed budget, members have already hinted at the need to tax the wealthy more heavily in an attempt to redistribute cash. "The unfairness in the tax system clearly needs attention," one official said. "The bottom 10 per cent of taxpayers pay a much higher proportion of tax than the top 10 per cent."

The commission will also look at the overlap with health provision, particularly housing and inner-city provision, in an attempt to address low standards of health and education among poorer groups.



Balfour: weakened his Government with brutal reshuffle

Reshuffle would not deliver trump card

John Major would be daft to shuffle his Cabinet in the near future, and particularly not at the bidding of Sir George Gardiner and the Tory right. The call for a reshuffle is a symptom of what is wrong, not a solution.

Whenever a Government gets in trouble, demands arise for changes at the top. The party chairman, Chief Whip or Downing Street advisers get blamed, depending on the fashion. That is a way of criticising the Prime Minister without directly naming him or her. But reshuffles seldom solve anything, merely highlighting underlying weaknesses. They rarely even have a favourable short-term impact.

Arthur Balfour was a brutal surgeon in September 1903 when removing five Cabinet ministers on both sides of the tariff reform argument. That helped to keep his Cabinet and party together at the time. But his weakened Government staggered from crisis to crisis before collapsing two years later.

In July 1962 Harold Macmillan dismissed a third of his Cabinet including Selwyn Lloyd, his Chancellor. That was intended to shift economic policy in a more expansionary direction. But the overall effect was negative, undermining Macmillan's long-term position. In other cases, notably under Harold Wilson, shuffles aimed at changing the image of the Government either backfired or made no difference. The dropping of Norman Lamont last May, for instance, appeared a sign of Mr Major's weakness.

The Government has plenty of problems, not least with its own supporters. But changing the Cabinet now would not deal with them. It would smack of panic and weakness in the middle of a parliamentary session. Obviously, reshuffles have to happen from time to time. There will be one this summer when Sir Norman Fowler steps down as

party chairman and Mr Major will no doubt use the opportunity to make other mid-term changes. But he would make a big error if he exaggerated its importance. It is not a miracle cure.

Mr Major's problem is not his colleagues. It is hard to identify any ministers whose individual performance has been so damaging that his or her sacking would boost the Tories' fortunes. There are no obvious stars in waiting. Amid the prevailing mediocrity are perhaps half a dozen ministers — Stephen Dorrell, Brian Mawhinney, Roger Freeman, Michael Forsyth, Jonathan Aitken — who could easily replace current Cabinet members. But the public would probably neither notice nor care. Any idea that Mr Major can do a deal with the Tory right by reshuffling his Cabinet is ludicrous. Any support

would be a flimsy expedient to prevent Kenneth Clarke from taking over.

Mr Major was yesterday being urged by his shrewder Cabinet colleagues to hunker down, and ignore the hysteria of his press critics and rent-a-quote backbenchers. What matters is getting policy right. More important than the froth about the leadership are the signs that the Government is responding on issues which have annoyed its supporters, such as the police and education bills. The key test will be the reorganisation of county and district councils, which a large number of angry Tory MPs would like to see dropped.

He has undoubtedly been hardened by his battles of the past 18 months. His humour is more bitter. He is more determined. His colleagues believe he should be more ruthless since he needs to be feared as well as liked. But a reshuffle now is not the answer.

PETER RIDDELL

Leading article, page 19

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Threat to pensions attacked

By Arthur R. Leathley
POLITICAL CORRESPONDENT

PETER Lilley faced demands yesterday to explain why he is planning to stop hundreds of war widows claiming pensions after their servicemen husbands died of smoking-related diseases.

The Social Security Secretary has moved swiftly to exclude deaths caused by smoking and alcohol consumption after the High Court ruled last month that a pension should be paid to a widow whose husband died after decades of smoking.

The Government has proposed to the Central Advisory Committee, which advises the War Pensions Directorate, that diseases caused by tobacco and alcohol should not be counted as injuries related to service.

Mr Morris, a Labour MP and a parliamentary adviser to the Royal British Legion, yesterday wrote to Mr Lilley calling for an explanation. "This is retrospective law with a vengeance. Many people in the services were encouraged to smoke through the distribution of free cigarettes."

In Parliament

Commons (2.30): Questions: education; Prime Minister; Finance Bill; committee.
Lords (2.30): Statutory Sick Pay Bill; report; Child Support (Miscellaneous Amendments and Transitional Provisions) Regulations; Debate on access by St Helena's people to training and work in the UK.

KEENE on CHESS

By Raymond Keene
CHESS CORRESPONDENT

Record smashed

THE world has its youngest ever chess grandmaster in Peter Leko from Hungary. From 1958 until 1991 the record was held by Bobby Fischer. His record fell to Judith Polgar (also Hungarian) who on December 20, 1991 became a grandmaster at 15 years 148 days. Now, at a tournament in The Netherlands, Leko has shattered the record by over a year by becoming a grandmaster at the age of 14 years 145 days. Here is a win from the tournament where he achieved this distinction.

White: 1 Sokolov

Black: Peter Leko

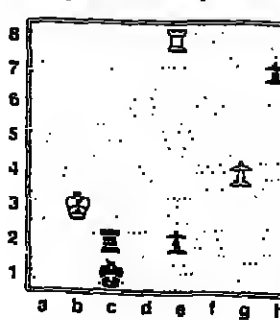
Wijk aan Zee

Grinfeld Defence

1 d4 Nf6
2 c4 g6
3 Nc3 Bg7
4 e4 d5
5 exd5 Nxd5
6 Bc4 Bg7
7 Bb5 Bx5
8 Bx4 Bx4
9 Bb2 Bx2
10 Bc3 Nc7
11 Bc2 Nc7
12 Nc2 O-O
13 Qd3 Bb6
14 Re1 Rb8
15 Re1 Rb8
16 Bb4 Re8
17 d5 c5
18 Bc2 Nb6
19 Bb3 Bb8
20 Bb4 Nc4
21 Qb4 Bc3
22 Qc4 c4
23 Nc3 Nc5
24 N3 N3
25 N1 N1
26 N2 N2
27 Qc6 Qa8
28 Q6 Bg7

29 Qh4 Qa8
30 Ng4 Qd6
31 Bb6 B6
32 Bg7 Kg7
33 Qh6+ Kg8
34 Re3 Rg8
35 R4 Qf8
36 Qd8+ Rf8
37 Nf2 a4
38 Nxd3 cxd3
39 Rd1 a3
40 Rxd3 Rb8
41 Rb3 Rb8
42 Rd1 a2
43 Ra1 f7
44 Kf2 h7
45 h2 h6
46 Kd3 B5
47 Kc3 h4
48 Be4 Rb3+
49 Kd2 Rb3
50 Rxa2 Rxa2
51 Ra6+ Kd5
52 g3 Rb4
53 h6 g6
54 Rb6 g6
55 Rb5 Kd4
56 g4 e4
57 Rb5 e3
58 Rb5 Kd3
59 Rb8 Kd3
60 Rb8+ Kd3
61 Rb8+ Kd3
62 Rb8+ Kd3
63 Kd3 Kd1
64 Rb8+ Kd1
65 Rb8 Kd1
White resigns

Diagram of final position



Winning Move, page 44

Worshippers join dissident vicar on the road to Rome

By KATE ALDERSON

A CHURCH of England vicar who disagrees with the ordination of women priests is becoming a Roman Catholic and taking most of his congregation with him.

The Rev Michael Fountaine, 34, of Holy Trinity Church in Bath, announced during last Sunday's morning service that he was leaving in April. About two-thirds of his 50-strong congregation promptly said they intended to follow him and convert to Catholicism. The two churchwardens are also to transfer.

Initially, Fr Fountaine, who hopes to be reordained as a Roman Catholic priest, and his breakaway congregation will move to St Mary's Church in Bath where they will be instructed by Fr Brian McEvoy. Those who remain have been promised a new priest by the Bishop of Bath and Wells, the Right Rev Jim Thompson.

Fr Fountaine said yesterday: "The issue of the ordination of women has highlighted

a weakness in Anglicanism. It has given power to the General Synod to determine belief and that is where the buck stops."

John Newsam, a churchwarden, said of the decision to leave: "I don't feel I have left the Church of England. The Church of England has left me."

John Burgess, the Archdeacon of Bath, said some of the

people who were leaving the church may not convert to Catholicism. He was confident he could find a large enough new congregation to form a church council and appoint wardens.

The Rev John Andrews, spokesman for the Bishop of Bath and Wells, said the decision to ordain women was taken after years of prayer and discussion.

He said: "If there are those who cannot accept it and feel it is God's will for them to leave then they leave with our support, love and prayers."

Guidelines on how dissident Anglican clergy and laity were to be welcomed into the Roman Catholic Church were published last November by the Catholic bishops of England and Wales (Ruth Gledhill writes).

Within the boundaries of what is possible within the Catholic church, the plans were as cordial as it was possible for them to be. The bishops extended a "warm welcome" to all who wished to embrace the Roman option, and unveiled pastoral arrangements to enable all who wished to convert to do so as smoothly as possible.

More than 150 clergy have approached the Catholic church already, and a handful of "groups", where a vicar and most members of his church wish to convert wholesale, have also expressed an interest.

Under the guidelines, Anglican groups will eventually be totally integrated into Catholic life. Whether a vicar can stay with his parish is likely to depend on which Catholic diocese he is in and the policy of a particular bishop.

However, the guidelines make clear that Anglican clergy will be accepted for ordination after "a period of study, preparation and integration". This will almost certainly mean a lengthy time away from their parishioners even if they do eventually rejoin them.



Fountaine will leave his church in April

Patten warns schools on religious teaching

By JOHN O'LEARY, EDUCATION EDITOR

JOHN Patten, the Education Secretary, vowed yesterday to take direct action against state schools that continue to flout the law requiring them to hold daily religious assemblies.

Releasing new guidelines on religious education and collective worship, Mr Patten said that many schools failed to provide both activities regularly and to the standard pupils deserved.

Mr Patten threatened to make an example of schools ignoring their legal responsibilities. He has the power to direct head teachers to follow the law, or to send in inspectors.

A new circular reminds

schools that religious education and collective worship should reflect Britain's mainly Christian tradition, unless a school's governors argue successfully that their pupils' background requires a different approach. Parents will have the right to withdraw their children without giving a reason.

Mr Patten said yesterday that he would not intervene in the dispute over Jane Brown, the Hackney headmistress who refused to allow her pupils to attend a Covent Garden production of *Romeo and Juliet*, unless formally asked to do. He said that such issues were for the local community to resolve.

Abuse line opens after death

By PAUL WILKINSON

THOUSANDS of children who attended a youth centre in the last 16 years have been asked to contact a telephone hotline after one of its senior workers was accused of sexually abusing a boy aged ten.

Brian Thompson, the youth leader, was found dead a week ago in his fume-filled car by detectives investigating the allegation and yesterday Gateshead council, Tyne and Wear,

announced the free confidential call line and plans to contact directly the families of up to 750 children who use the Blyden Centre.

No more claims have been made so far against Mr Thompson, a bachelor aged 47, but parents are still being asked to get in touch if they have information or need counselling.

Mr Thompson, who worked

at the centre for 16 years, was suspended a week ago after Gateshead's education department learnt of the complaint made by the boy to Northumbria police's child protection unit. Mr Thompson went missing that day and was found 24 hours later in his fume-filled car.

The council said that calls to the line, 0500 505050, would be treated sensitively.



The Prince of Wales driving a long-range patrol vehicle yesterday during a visit to the Australian SAS at their Perth headquarters. Wearing a lightweight suit and the tie of the British SAS, he toured the regimental museum, with its mementoes of

Vietnam and Borneo, on the eighth day of his official tour of Australia (Alan Hamilton writes). Away from the prying eye of the media, the Prince was given a demonstration of SAS training methods, which are said to bear a close resemblance to

those of their British counterparts. The two regiments, which share the motto "Who Dares Wins" regularly exchange personnel. British troops visit Australia to study tactics for undercover warfare in desert conditions. Founded in 1957 as a company

and raised to a regimental strength of 500 in 1964, the Australian SAS last saw enemy action during the Vietnam War. Since then, they have supplied troops for UN operations in Cambodia and Mogadishu, but played no part in the Gulf War.

Once-bitten Britons learn to make do and mend

By LUCY BERRINGTON

WEALTH in Britain is becoming increasingly polarised, and the financial caution instilled by the recession is likely to continue, according to research published yesterday by a leading market and consumer analyst.

The report predicts a modest increase in consumer

spending — about 17 per cent in the next five years allowing for inflation — but says the caution instilled during the recession will take a long time to recede. Britons have developed a "make do and mend" attitude, spending on repairs rather than replacements.

Two fifths of the nation's income is being earned by one fifth of the population, accord-

ing to *British Lifestyles 1994*, a report by Mintel International Group. "Put in simple terms, the well off are getting wealthier while the poor are getting poorer," said Peter Aston, Mintel's head of research.

Mintel found that the average gross household income increased from £12,490 in 1983 to £22,533 in 1993, a real increase of 14 per cent after

allowing for inflation. Home, health and security will be the spending priorities for the next five years.

While the widening economic gap will bring higher demand for private schools and medical insurance, a greater proportion of households can afford only necessities. The trend is likely to continue, Mintel says, "espe-

cially in the light of the forthcoming tax changes and imposition of VAT on fuel".

The home is still the main expense, followed by transport, food and drink, entertainment, footwear and clothing, insurance and pensions.

British Lifestyles 1994 (Mintel, 18-19 Long Lane, London EC1A 9HE; £895)

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£12,225	25% - £3,056	£9,169	3.9% p.a.	8.3%	1 x £461.84 22 x £411.84 1 x £436.84	£13,015.16	£790.16

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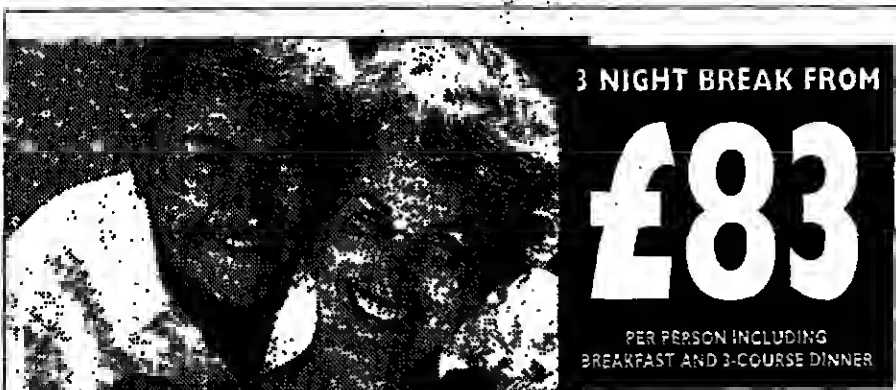
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3 NIGHTS £121-£138

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Cheltenham. The Dart Marina Hotel, Dartmouth. Perceval of the Peak, Dorchester. Ashbourne, Dorchester. The Lattrell Arms, Dorchester. Forte Portchester, Edinburgh. The Green Dragon, Edinburgh. Manor House Hotel, Leamington Spa. Forte Portchester, Lincoln. The New Bath Hotel, Macclesfield. The Avonmouth Hotel, Macclesfield/Charnock. The Talbot, Cheltenham. Forte Portchester, Plymouth. The Redoubtable Arms, Poole. Forte Portchester, Rochester. Rotherly Court Hotel, Rotherly/Luton. The Royal, Rye-on-Wye. The George, Rye. The White Horse, Salisbury. The Lancers, Sevenoaks-on-the-Wald. Bear of Bodborough. The Bedford, Walsingham. The Manor Hotel, Walsingham.

3 NIGHTS £142-£174

The Francis, Bath. Forte Crest, Bournemouth. The Grosvenor, Brighton. The Bedford Bridge Hotel, Dorking/Box Hill. The Swan, Garmouth. The Black Swan, Halesowen. The Swan, Lavenham. The White Hart, Lincoln. The Kenningsham Close, London. The Strand Palace, London. The Castle St. Bell, Marlborough. The White Swan, Seaford-upon-Avon. The Old England, Wincoburn. The Bear Hotel, Woodstock.

3 NIGHTS £186-£237

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Parents outraged by public school's drugs expulsions

By BEN PRESTON, EDUCATION CORRESPONDENT

A HEADMASTER has become embroiled in a dispute with parents after expelling ten pupils for smoking cannabis. Fifteen pupils were also suspended in one of the biggest crackdowns on drugs by a public school.

Dr Christopher Barnett, of Whitgift School in Croydon, south London, faces claims that he falsely accused parents of taking illegal drugs and led a witch hunt against pupils.

A campaign group formed by parents after the expulsions is protesting that Dr Barnett reacted to allegations of cannabis smoking at the £5,000-a-year school like a "virgin waking up in a brothel".

The parents say his investigation was heavy-handed, intimidatory and broke procedures agreed with police for dealing with pupils linked to drugs.

The group is considering legal action and has lobbied MPs, demanding that parents at private schools be given the same right to an independent appeal as in the state education sector.

The case is the latest to highlight the dilemma facing schools as they try to deal with the increasing use of soft drugs among students over the past decade.

The Times disclosed ten days ago that an independent appeals tribunal ordered Romsey School in Hampshire to readmit two pupils who admitted smoking cannabis on the premises. The headmaster complained that the decision risked undermining classroom discipline. Critics said expulsion was probably a greater punishment than any sought by police for first offenders.

Parents of the seven sixth-formers and three fifth-formers expelled from Whitgift in September claim Dr Barnett acted on the basis of hearsay evidence. No boy was caught in possession of cannabis, smoking or under the influence of drugs. The school,

instead, persuaded pupils to confess and pass on names of others who subsequently admitted smoking marijuana at school within the previous year.

The group says the punishment was draconian and precipitate and failed to discriminate, for example, between two boys who admitted supplying marijuana and those who smoked it.

The parents were particularly incensed by allegations that Dr Barnett made in a letter sent to all parents, explaining the expulsions.

He said: "As a result of my investigations, it has become quite clear that the smoking of

to Dr Barnett that he had taken a "couple of puffs" of a marijuana cigarette on no more than six occasions in the eight months to April 1993 and then stopped.

Mrs Fulton said her son's plans for an Army career had collapsed after Dr Barnett's decision. He lost a short-service limited commission bursary for his three-year course at Oxford University and the opportunity to earn £12,000 in a gap year by serving with his chosen regiment.

Whitgift, founded in 1595 by John Whitgift, the Archbishop of Canterbury, has a strong academic reputation and is one of the richest schools in the country, owning much of Croydon's shopping centre.

Dr Barnett, 40, who was one of the youngest members of the Headmasters' Conference when appointed in 1991, declined to comment. He said the expulsions and suspensions had been fully reviewed over several months, with parents allowed the opportunity to put their case.

In his letter to parents, however, Dr Barnett said he was determined to take a "moral lead" by ensuring the school was seen to make a clear and unequivocal stand that deterred pupils from experimenting with drugs.

Raymond Smith, clerk to the Whitgift Foundation, said the governors had since considered in detail submissions from parents appealing against Dr Barnett's decisions. They were satisfied that he had taken the correct course of action and that the punishments were just.

The Metropolitan police confirmed that Whitgift had breached guidelines agreed by Croydon schools that officers should be informed and involved in any incident regarding drugs in school. A spokesman said: "We were not informed of the expulsion or suspension of pupils until after it had happened."



Barnett: accused of acting "like virgin in brothel"



The cost of a basic diet for Richard and Darren Cooper, above, means they may eat less well today than orphan girls, below left, did in the 1870s



Diet of workhouse gruel 'costs too much for benefit families'

By JEREMY LAURANCE, HEALTH SERVICES CORRESPONDENT

A SUBSISTENCE diet of bread and gruel fed to children in Victorian workhouses would be too expensive for the 1.5 million families living on state benefits today, according to a children's charity.

At current prices, an 1876 workhouse diet, which included meat and potatoes three days a week, would cost £5.46 per week per child, nearly a third more than the £4.15 that income support allows for a child's weekly food.

In an open letter to the Prime Minister, the charity, NCH Action for Children, says the Government must provide a back-to-basics quality of life for the one in four children living in

poverty. It says Britain has more children living in poverty than any other European country except Portugal and Ireland, and the proportion is rising faster than in any other country.

At a news conference to mark the 125th anniversary of the charity, which has changed its name from the National Children's Home, Tom White, the chief executive, said children's needs were increasing, not declining, more than a century after the charity was founded.

"Children are going hungry because benefit levels are too low," he said. "Mothers are going without food to provide for their children." Recent research suggests that 500,000

children eat an inadequate diet and 9,000 go to bed hungry.

The charity says an "adequate but modest" diet today would cost from £10.32 a week for a pre-school child up to £16.60 a week for an 11 to 17-year-old.

"Mothers know what to provide but are unable to afford it," Mr White said. "Custard cream biscuits may be cheaper per calorie than cabbage or apples. The result is children are given inappropriate food."

Research by the charity shows that families on incomes just above the benefit level feed their children a poorer diet than those who are poorer because they allow them more treats, such as fizzy drinks and crisps.



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As to what we mean by Service, now that we're at Oakham, here's our pledge: Along with the free phone call you already enjoy, NOW you can make that call 24 hours a day and hear the friendly British voice of a well-trained operator.

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Our founder, in his simplistic wisdom, read a lot of guarantees before he settled on ours. And he noticed that in general, the more words they used to explain their conditions, the more loopholes seemed to trap the unwary. So, being a no-nonsense guy he first got very specific, to wit:

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So now this third-of-its-kind advertisement appears before you. If you haven't seen its predecessors, this one gives you our history over here up-to-date, so why not challenge us at your earliest convenience. If you do recognise our shop window again, then we hope it reminds you of all that we promise – and all only a phone call away.

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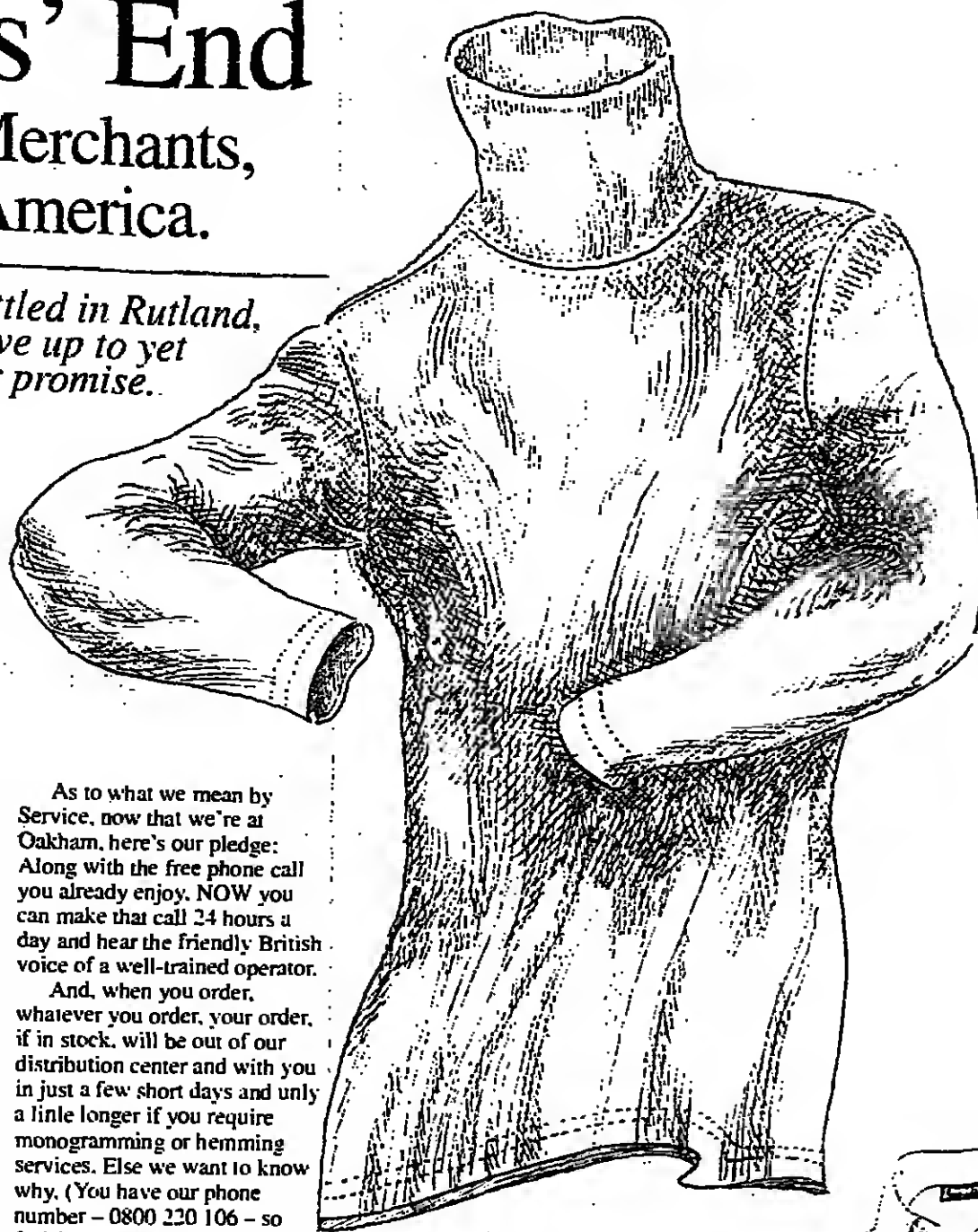
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Ours was a more plebeian world. We were young people in a young company and we were so busy we took a lot of work home at night – too much to fit into those slender cases which were too expensive for our means, anyway.

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The result: the Square Rigger you see here at £39.50. Still made of the same sailcloth canvas, it has padded handles, carrying strap, a file-size interior, and a key clip that lets you unlock doors without setting your bag down first.

Today, the Lands' End Attache peeks out from beneath a lot of airplane seats, and you'll glimpse it on the pin-striped laps of executives hunkered down in chauffeured limousines.

The price is still homey, so the rest of us can afford it. And really should, now that we've made it so easy to order one. On with it!



The Squall Jacket: light, warm, smart, and surprisingly protective at just £65.

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Sizes:
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French old crock owners on road to riches

FROM CHARLES BREMNER
IN PARIS

OUT-OF-WORK concierges and owners of old bangers were the only citizens clearly enthusiastic yesterday about the latest attempt by Edouard Balladur, the Prime Minister, to spur recovery in France's economy.

The most unusual part of a package meant to induce the French to spend more is a promise to pay 5,000 francs (£560) to any owner who consigns to the scrapyard a car more than ten years old. The ailing car industry suffered an 18 per cent drop in sales last year, but even officials normally expert at negotiating France's labyrinthine bureaucracy were at a loss to explain the system. "Can one buy an old crock for 1,000 francs, scrap it and pocket the bonus, or does one have to own it for a certain time and buy a new car?" a radio reporter wondered.

M. Balladur's team, which laboured long and publicly on the measures, were also being questioned about their scheme to create low-paying jobs in the service sector. The government says it will oblige owners of blocks of flats beyond a certain, unspecified, size to recruit *gardiens*, as the venerable institution of concierge is now known.

The profession has been withering as property owners cut costs and few new buildings possess such luxuries. Similar schemes will be used to encourage petrol-station owners to recruit attendants and hundreds of young unemployed will be recruited by Paris public transport and the railways, M. Balladur said.

The aim is to soak up some of the four million unemployed, who account for a record 12 per cent of the workforce. Unlike earlier measures, the package is aimed at public opinion.

Peking cuts back on building projects as economy overheats

FROM JONATHAN MIRSKY
IN HONG KONG

CHINA'S economy faces uncertain times with panic buying of staples, peasant anger at unfair reforms, soaring inflation, loss-making state industries and the cancellation of construction projects.

Two weeks ago the building of golf courses and racetracks was forbidden to save land for growing grain. Over the weekend sweeping bans were placed on almost all "fixed asset" construction, such as shopping centres, hotels and electronics factories, which have sidelined more basic projects, such as transport and telecommunications, which do not reward investors as much.

The ban comes none too soon. Investment in fixed assets rose by 33 per cent last year, a mark of the dangerous "overheating" noted last week by Zhu Rongji, Deputy Prime Minister. The State Council promptly issued a warning that controlling investment in such construction will be critical to the reforms on which the economy depends.

Li Peng, the Prime Minister, emphasised that "stability is the prerequisite for development and reform". Mr Zhu, whose economic austerity drive last summer was undermined by Deng Xiaoping's passion for faster growth, has now voiced his concern that if trouble boils over about "the people's vegetable basket" — whose prices have risen by more than 40 per cent — and the party loses popular support, "we will have no control over the situation".

More to the point, at the beginning of January an official newspaper focused, in the context of the fragile health of Mr Deng, 89, on the question of unity during transfer of power. This illustrates the Deng dilemma: how can China become "rich and powerful" but remain under the control of the Communist Party?

With the traditional new year coming next week, the leadership knows that Chinese expect to eat well. Mr Zhu noted that the fluctuation in grain prices was a signal which cannot be ignored. But the leap in grain prices, Mr

In his 90th year Deng Xiaoping faces the dilemma of how to bring prosperity to his country while maintaining political control by the troubled Communist Party

Zhu added, was "abnormal, transient and caused by psychological factors". Stocks of grain had never been higher, he said.

The "psychological factor" is the anger of China's farmers over the Dengist reforms, which emphasise market forces, leaving them with incomes averaging half those of city dwellers.

Farmers' Daily reported last December: "We have overestimated the degree of prosperity of peasants since the commencement of rural reform."



If trouble boils over about prices and the party loses support, we will have no control over the situation — Zhu Rongji, above

Only a small number of peasants have truly become relatively well-off or rich; most peasants have just enough to eat and wear. The bleak analysis came months after Mr Deng's slogan, which cannot be openly rejected, that "only fast growth is socialism".

That slogan directly contradicted Mr Zhu's austerity programme of last summer which had halted much of China's speculation-based banking and investment, in an effort to

stop double-digit inflation, rising money supply and vast corruption. But provincial and local entrepreneurs objected to this curb, and Mr Zhu's ban was eased.

The new orders are yet another attempt by Mr Zhu to force funds into publicly beneficial projects: at the same time that the bans were being announced the state was inviting more foreign investment. This pursuit of fast growth but low inflation, tightening then loosening, is often derided by foreigners as stop-go economics, but the root of the endless changing is that even Mr Deng's ultimate priority, beyond the 150-year-old slogan of national wealth and power, is party dominance.

If peasants riot over local corruption, the party will shoot a few corrupt officials and then order the rest to stop issuing IOUs, even though the state is bankrupt. If urban residents grumble at inflation and short supplies, the party will order special trains loaded with food to the main cities, force down the prices and deal with the peasants later.

While the centre can no longer frighten and dominate, as was the custom in Mao's day, it can make ceaseless deals while experimenting with yet another fashionable technique: new authoritarianism. This is a kind of corrupt and benevolent despotism, which some party members imagine is the basis of rule in Singapore, Taiwan and South Korea.

But the party knows nothing of the rule of law, of contracts, and of minimising cronyism which underlie the success of its models. As with its so-called capitalism, it thinks of techniques, not institutions. In its inner councils, the realities are clear to the party, and a significant difference between now and Chairman Mao's time is that the public does not need to wait for utter disaster for realities to be admitted.



The President and Mrs Clinton passing a portrait of Ronald Reagan on their way to host a White House dinner for state governors and their wives

Clinton accused of lying over financial loss claim

FROM WOLFGANG MÜNCHAU IN WASHINGTON

THE Whitewater affair has taken another twist, as President Clinton now stands accused of lying about a financial loss he claims to have incurred in his 1978 investment in the Arkansas land development company. The latest turn of events challenges the assertion by Mr Clinton — who yesterday met Helmut Kohl, the German Chancellor, to discuss Eastern Europe — that he had lost \$69,000 on Whitewater, his key line of defence against a barrage of

allegations. The claim that this was not true was made by James McDougal, Mr Clinton's former partner in Whitewater. In a taped conversation in 1992 with Sheffield Nelson, a Little Rock attorney and a Republican opponent of Mr Clinton in the 1992 governor's election, Mr McDougal said that he "could sink the claim [of a loss] faster than they could lie about it... and Bill Clinton knows it". Mr Clinton's claim was subsequently corroborated

by an independent audit during the 1992 election, when the allegations first hit the headlines. A number of factors, however, have since cast doubts on this assertion, including the loss of important Whitewater documents and records, the failure by the Clintons to declare the loss on their tax returns, and rising suspicious surrounding the suicide last year of Vince Foster, the White House lawyer and former law partner of Hillary Clinton.

Europe without borders remains a dream

FROM JAMES LANDALE
IN BRUSSELS

TODAY was supposed to be a day of celebration, a day when the European Union lived up to its name by abolishing passport controls, so changing the lives of millions of travellers.

Instead, it will be a day like any other, with the free movement of people, a key part of the Single European Act, still only just another ideal to which the EU has aspired but has singularly failed to achieve. Last week officials from the nine so-called Schengen countries — all EU member states except Britain, Ireland and Denmark — decided they would be unable to meet today's deadline for the complete abolition of passport controls.

The Schengen treaty, named after the Luxembourg village where it was signed, was a key element in bringing into effect "an area without internal frontiers in which the free movement of goods, persons, services and capital is ensured", as laid down in the Single European Act. The treaty has now missed four deadlines to come into force since January 1993. France blocked initial progress last year by claiming that its constitution, containing strict laws covering asylum seekers, was at odds with the treaty.

Now technical difficulties have emerged. Officials have complained of alleged software problems with the huge Strasbourg-based Schengen computer which Europe's police and immigration forces will use, in the absence of border surveillance, to combat illegal immigration and drugs trafficking. The private companies setting up the computer claim that the problem lies more with the nine member states who are delaying providing data and making their computers compatible.

Ironically, today also sees the setting up of a telephone hotline for disgruntled European travellers. Europe's hapless computers can now ring a Brussels number (010 322 534 4233 from the UK) to complain and get advice when they face border difficulties. Euro Citizen Action Service, which runs the hotline, also called yesterday for Europe's citizens "to give up automatically handing over their passport or identity cards for inspection" whenever crossing internal EU borders. While making clear that they are not calling for civil disobedience, ECAS officials say that they wanted Europe's citizens to show symbolically their dissatisfaction with the lack of progress to full freedom of movement.

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Barcelona opera house engulfed by flames

FROM EDWARD OWEN
IN MADRID

ONE of Europe's finest opera houses, El Gran Teatro del Liceo in Barcelona, was destroyed by fire yesterday morning. Sparks from a welder's torch are believed to have set light to stage curtains and the fire raged through the 147-year-old theatre, built mainly of wood.

Firemen had difficulty tackling the blaze in the narrow streets around the Ramblas avenue, a tourist attraction with its kiosks and cafes. A helicopter normally used to tackle forest fires was deployed. "It's a tremendous disaster," said Montserrat Caballe, the soprano, who with tenors Jose Carreras and Placido Domingo felt more than at home in the Liceo. The stars had often warned that the theatre, with its ornate architecture of the Catalan renaissance, was a potential fire trap. "Much of the decor was wooden and it lacked modern standards," said Caballe yesterday.

The Liceo has debts of £25 million and maintenance and safety standards were cut to a minimum prior to a £20 million two-year plan to remodel the theatre from June 1995.

Jordi Pujol, the regional president of Catalonia, said after the two-hour blaze that work on reconstructing the opera house would start immediately. Carmen Alborch, the minister of culture, visited the gutted shell and King Juan Carlos telephoned to show his concern. The theatre gained a reputation for its fine acoustics. Nine operas were due to be staged this season.

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ss is just one problem

American way of justice in the dock as judges and jurors wander through moral maze

Errant father gains slice of girl's estate

FROM BEN MACINTYRE IN NEW YORK

AMERICA'S moral crusade against "deadbeat dads", fathers who fail to pay child support, has found a new focus of contempt in James Brindamour, a Rhode Island man who left his wife and daughter in 1983 and who now stands to profit from the death of the girl he had not seen or spoken to for three years.

Last week a Rhode Island court ruled that although Mr Brindamour, 38, owes thousands of dollars in child support he deserves a portion of the \$350,000 (£233,000) insurance settlement awarded after his 15-year-old daughter, Colleen, was killed in a road accident last summer.

Mr Brindamour, who is unemployed and has a history of alcoholism according to his lawyer, was ordered to begin paying child support of \$75 per week in 1983. His former wife, Rose Brindamour, says he now owes her \$69,000, including interest.

Colleen was killed when a truck in which she was a passenger skidded off the road. Mr Brindamour did not go to her funeral. Mrs Brindamour sued the driver, whose insurance company agreed to pay \$350,000 in compensation. Mr Brindamour claimed



Rose Brindamour says she is owed \$69,000

he was owed half of the insurance money. "I don't want him to get a dime of her money," Mrs Brindamour told *The New York Times* before last Friday's ruling. "He's trying to get half and then use part of the proceeds to pay me off. It's immoral."

More than 20 of Colleen's school friends picketed the court in Warwick, Rhode Island, to protest against Mr Brindamour's claim. But under state law a child's estate is divided equally between the parents. Judge Francis Dargan, of Rhode Island Superior Court, ordered that Mrs Brindamour be awarded \$107,065 for "loss of companionship", and that the rest of her estate be divided between her parents.

Mr Brindamour denied abandoning Colleen. "I wanted to see my daughter over the years, but Rose prevented me from doing so," he said.



James Brindamour at a hearing in the Kent County court in Warwick, Rhode Island, which ruled he was eligible for part of the estate of his daughter Colleen, who died in a car accident. He left Colleen's mother ten years ago and owed her thousands of dollars in child support

Defence lawyers put murdered parents on trial

FROM GILES WHITTILL IN LOS ANGELES

For the defence, Erik and Lyle Menendez were always "boys". To the prosecution, they were men. The distinction was critical in the case of the Beverly Hills brothers charged with murdering their parents the first trial has ended with juries "hopelessly deadlocked".

Were the brothers victims of horrific parental abuse, acting in fear and self-defence? Or were they cold-blooded adult killers acting out of greed? A fascinated American public, like the jurors, cannot agree. On one side of what one commentator calls "an unbridgeable gulf" are those — mainly women — who see the case as a landmark in the struggle to establish child abuse as a credible legal defence. On the other is a

four years ago, leaving only their motive open to debate.

What was supposed to be an open-and-shut murder case has turned into a national debate on personal responsibility and the law. On a purely legal level, the Menendez case has been a sensation — a victory for a bold and lurid (though unproven) defence. The undisputed stars of the show were two charismatic defence lawyers who had their clients sobbing on the witness stand as they described being raped by their father as children.

Once it became clear that this defence was working, so some jurors at least, its significance expanded beyond the courtroom. The crime at issue appeared to have changed and the brothers had become the victims. Their dead parents were in effect on trial for abuse.

Jill Lansing, Lyle Menendez's attorney, was triumphant after the judge announced that the jury was deadlocked on Friday. "I think we have a result which no one would have ever predicted at the beginning of the trial," she said. Other victims of abuse had been "empowered" by the case.

Others believe that the kind of defence used in the Menendez and Bobbitt trials is not so much empowering as vigilante justice, an encouragement to victims and juries to take the law into their own hands.

Susan Estrich, a law professor at the University of Southern California, believes Mrs Bobbitt's acquittal "touches the fundamental question of whether we're going to live in a civilised society, or whether we're going to say 'forgive me for the things that I do but they're not my fault' — it's just that time of the month."

In his polemic, *Culture of Complaint*, the writer Robert Hughes argued that in America now "to be vulnerable is to be invincible". As the brothers prepare for their retrial, still facing a possible death penalty, they will be polishing up their vulnerability — and praying that it will be as invincible second time round.

Leading article, page 19



Lansing: finding has "empowered" victims

growing chorus of voices that wonders whether American juries have fallen prey to a cult of the victim, which has an excuse for every crime and a politically correct alternative to every punishment.

First, there was Damian Williams, acquitted after beating Reginald Denny almost to death in the 1992 Los Angeles riots by a jury apparently more concerned to head off racial unrest than to apply the law. Then came Lorena Bobbitt, sentenced to six weeks' psychiatric supervision for cutting off her husband's penis. Now the Menendez brothers are having to be retried at colossal public expense for a grisly crime to which they confessed

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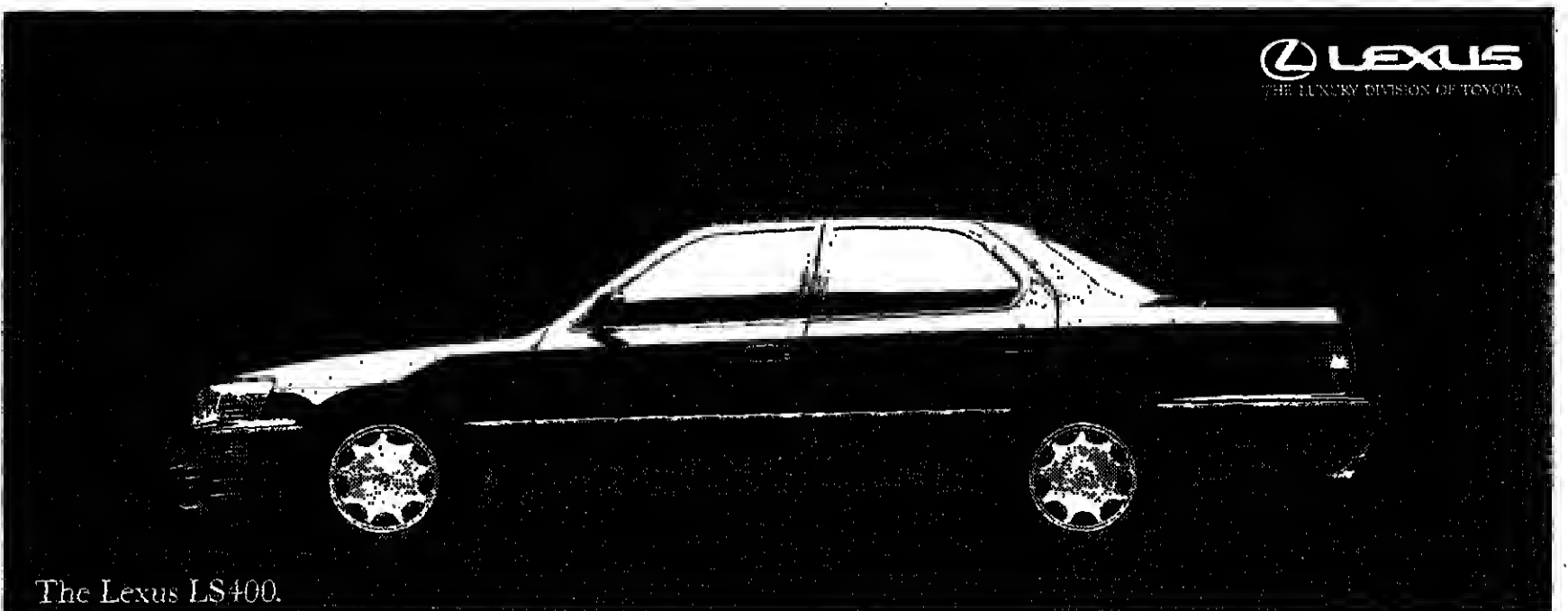
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Americans weigh into premature great debate over 'Who lost Russia?'

Doves were right all along, says Clinton's new man

The Republican right demanded "Who lost China?" after Mao's Communists defeated Chiang Kai-shek. The recriminations which reached an intensity of bitterness in Senator Joe McCarthy's attack on the State Department, poisoned American politics for a generation. "Who lost China?" was in turn succeeded by "Who lost Vietnam?" — anti-war activists and liberals on one side engaged fiercely with the military and Nixon apologists on the other.

Now America has begun to ask "Who lost Russia?" — without waiting to see whether economic reform and democracy in Moscow is irretrievably a lost cause. America's heavyweight political conservatives are already limbering up for the big fight. The question "Who lost Russia?" is fast becoming "Who is losing Eastern Europe?" after President Clinton's refusal to extend Nato membership eastwards.

Ominously for the Administration, the debate is beginning to coalesce around the person of Strobe Talbott, a former Oxford contemporary of Mr Clinton and his still unconfirmed Deputy Secretary of State. Mr Talbott's Time magazine profile of Mikhail Gorbachev as "Man of the Decade" four years ago is being used by his enemies to dub him at best as a misguided idealist on Russian politics and at worst as an apostle of appeasement.

The immediate charge against Mr Talbott is that he persuaded President Clinton to overrule his boss, Warren Christopher, the Secretary of State, by keeping Poland, the Czech lands and Hungary out of Nato. If talk about a Soviet invasion of the West was, in Mr Talbott's words, a "paranoid fantasy" so, in Mr Talbott's view, is talk of a revived Russian army marching west. In *Newsweek*, Mich-

ael Elliott wrote that Russia watchers were divided into two camps. If you study Russia through its history and politics, you end up despairing of its political future. But if you enter it through its culture and language you end up believing there is "a radiant, shining country on the steppe". Mr Talbott is a culture man. He has argued against the view that "totalitarianism and authoritarianism are genetically coded into the Russian soul". Reform will still come, although it will be a bumpy ride.

To the chagrin of critics such as Henry Kissinger, the former Secretary of State, Mr Talbott also said in his *Time* profile that the architects of America's Cold War strategy were altogether wrong. "For more than four decades, Western policy was based on a grotesque exaggeration of what the USSR could do if it wanted to," wrote Mr Talbott, adding: "The doves in the Great Debate of the past 40 years were right all along."



Dr Kissinger: "America should not treat Russian leaders as if they were novices. They are tough"

■ To the chagrin of critics, Strobe Talbott, the unconfirmed Deputy Secretary of State, maintains that the architects of America's Cold War strategy were altogether wrong, writes Martin Ivens. For more than 40 years, Western policy was based on a grotesque exaggeration of what the USSR could do," Mr Talbott claims

There are four strands to the Great Debate but all four are entwined. First, hawks and doves quarrel over who won the Cold War. Did America's steadfastness and its technological edge, dramatised by the "Star Wars" programme, bring the Soviet Union to heel? Or did it take Mr Gorbachev's genius and prior Western soothing of Soviet paranoia through détente to end superpower conflict? The quarrel determines what strategy America should adopt towards a less pacific Russia.

Secondly, did the West fail to back reform when it mattered? Jeffrey Sachs and other economic advisers to Russia's democrats claim a

tight-fisted International Monetary Fund refused to deliver the necessary financial aid, so discrediting the entire reform programme. Inside the American Administration, Al Gore, the Vice-President, also accuses the IMF of passivity.

The IMF replies that it operates within strict conditions worked out by Western governments such as Bill Clinton, and it was and is unable to back economic policies that are bound to fail — such as the uncontrollable expansion of the money supply and credits for redundant industries guaranteed by the Russian Central Bank under its unreformed boss, Viktor Geraschenko. Another school of thought, however, argues that both Mr Sachs and the IMF are equally wrong, because the West should have financed a massive aid programme to prop up Mr Gorbachev.

This debate may seem arcane too, but its ramifications will be felt long after the reformers' removal from the Kremlin. What should the West do to prop up the Russian economy and save Boris Yeltsin? Should America help ease so-called shock therapy by underwriting aid to the unemployed or industry? Or is slow reform like "fried snowballs", disastrous in practice, as in Russia's neighbour, collapsing Ukraine?

Thirdly, did America throw in the towel by acquiescing in Russia's bullying of former Soviet republics in "the near abroad"? If the West would not intervene in Bosnia, argue

Mr Clinton's defenders, it could hardly intervene in Georgia. "Ah", the critics say, by failing to intervene in Bosnia, America has abandoned its right to influence the near abroad and encouraged wild Pan-Slav ambitions among the nationalists in Moscow.

This debate also runs into the question about former client states of the Soviet Union who want Western protection from the Bear. Should America bring them in or keep them out? If in, would Congress guarantee an American nuclear umbrella? If out, have they been abandoned as they were by the West in 1938-39?

Henry Kissinger presents a political historian's gloomy critique of Mr Talbott, his Cold War antagonist. He condemns Mr Talbott's optimism over the victory of reform as a "kind of psychological social engineering" — a belief in "the inevitability of democracy spreading everywhere". Dr Kissinger berates the Administration's tendency "to treat Russian leaders as if they were fragile novices... these are tough men who have survived a brutal school of Communist and Russian politics."

Dr Kissinger adds: "They are quite capable of comprehending a policy based on mutual respect for each other's national interest. In fact they are likely to understand such a calculus better than appeals to an abstract and distant utopianism". Dr Kissinger argues that Nato must

eventually give security guarantees to Eastern Europe. But the West must learn when and where to draw the line. "It is in fact ambiguity about dividing lines, not their existence, and ambivalence about Western reactions, not their certainty that tempt militarists and nationalists. Reform will be strengthened if moderates are put in a position of highlighting the dangers of a nationalistic Russian policy."

Fourthly and finally, has President Clinton made a mistake by putting all his eggs in the Yeltsin basket as Roosevelt invested in Stalin? Is the Russian leader a dud? William Pfaff, the influential commentator, echoing Dr Kissinger, says the Clinton Administration's foreign policy legacy derives from the Jimmy Carter era, marked by "abundant goodwill but an unfortunate over-confidence in the goodwill of others. Russia is being allowed to dictate American security policy towards Russia's former victims in Eastern Europe" — the reason being "an unqualified commitment to Yeltsin".

But Mr Talbott has his defenders too. If the personalisation of foreign politics is wrong, so is historical pessimism. In a dignified version of the philosophy "he may be a son of a bitch, but he's our son of a bitch", Jim Hoagland has written in *The Washington Post* of America's inescapable commitment to Mr Yeltsin. Comparing the Russian leader to the de Gaulle who took sweeping powers in the France of 1958, Hoagland cites a diplomat as saying "there are two possible outcomes for Russia in 1994 — mild authoritarianism under Yeltsin, or harsh authoritarianism under someone else. The West should have no problem in choosing which course to support". Either way Strobe Talbott, as well as Russia, may be in for a bumpy ride.



Mr Talbott: is he a misguided idealist on modern Russian politics or an apostle of appeasement?

Serbs mobilise for big spring offensive

By MICHAEL EVANS, DEFENCE CORRESPONDENT, AND JOEL BRAND IN SARAJEVO

A SERIOUS threat of all-out war in Bosnia in the spring, with the Serbs mounting a large-scale offensive against Muslim pockets, yesterday provoked new fears for the safety of United Nations troops escorting humanitarian aid through the country's network of front lines.

Malcolm Rifkind, the Defence Secretary, is to visit Bosnia at the weekend to assess the dangers facing the British UN troops based at Vitez in central Bosnia. Although it seems almost certain that the Government will agree to a further rotation of troops in May, with the 2nd Battalion Anglian Regiment replacing the Coldstream Guards, the likelihood of a spring offensive has added to Mr Rifkind's concerns.

Yesterday it was announced that Bosnian Serbs, including thousands who have avoided call-up by crossing into Serbia, have been ordered to mobilise. The Muslims and Croats are doing likewise.

The military command of the self-styled Bosnian Serb Republic, consisting of territory formed from Serb-held lands in Bosnia, said the purpose of mobilisation was to reach "a successful end to the war". They said the decision to mobilise had been taken because "the international community has decided to support the Muslims".

Signs of a Serb military build-up have been increasing for some weeks — UN convoys entering eastern Bosnia have been harassed more than usual and press access to the entire region has been severely curtailed. But the

highly unusual public pronouncement from the rebel high command suggests that they are beginning a game of brinkmanship with the UN and Nato over the threatened use of air strikes to reopen Tuzla airport. The brinkmanship is also directed against implied suggestions by the new UN commander for Bosnia, Lieutenant General Sir Michael Rose, that he will get tough with Serbs or anyone obstructing his operations.

The Serbs have countered with the time-proven method of raising the stakes. They realise that Western countries



have no new-found enthusiasm for military adventurism in the Balkans and are likely to back down, as they have done many times before, if their bluff is called.

The Serbs in any event are showing little concern over the possibility of Nato air strikes to force open Tuzla airport and to effect the rotation of UN troops in Srebrenica, in eastern Bosnia, on which they have tightened their squeeze in recent months, as they have on the key enclaves of Zepa and Gorazde. Also, although the Serbs are supposed to have

drawn back from Mount Igman above Sarajevo, the Bosnian capital, under a UN peacekeeping arrangement, military sources say that irregular Serb forces are still deployed in the area and other units have returned to locations not far away. The widening of the crucial Posavina corridor in the northeast of Bosnia, around the town of Brcko, has also remained a priority for Serb military action.

Meanwhile, military assessments of the build-up of arms and the increasing confidence of the Muslim forces in seizing territory from the Croats in central Bosnia support Lord Owen's gloomy prediction, after the failure of the most recent peace talks, that the factions had "gone back home to fight".

If the Serbs launch a spring offensive, they are expected to advance south of Brcko, driving Muslim and Croat forces — fighting together in this corner of Bosnia — towards Tuzla, already overwhelmed with refugees. Their success will depend partly on whether the Croats continue to fight alongside the Muslims against the Serbs.

The Muslim-dominated government army of more than 100,000 regulars has become a tougher enemy in recent months after being fortified by a shake-up in command and tactics. It is also better equipped through domestic manufacture of some artillery weapons and clandestine arms purchases that circumvent the UN embargo.

Leader of far right redraws world map

By ROGER BOYES AND TIM JUDAH

VLADIMIR Zhirinovskiy, the Russian ultra-nationalist, yesterday sketched his new map of the world. Although he has frequently talked of redressing Europe's postwar frontiers, Mr Zhirinovskiy's interview with *Die Welt* was his most detailed statement of intent: □ Estonia "should be a part of Russia because many Russians live there"; □ Latvia should also belong to Russia. "Lithuania will be an enclave"; □ Poland: "Well, Prussia was a German state which included Breslau (now Wrocław) and Stettin (now Szczecin) and these areas should go back to Germany"; □ Slovakia "will belong to Russia. The Czech Republic will go to Germany"; □ "One day a greater Germany, a new Russia and India will form an alliance. The world will have no further problems. India and Russia will neutralise China. Russia and Germany can control Europe."

In Bijeljina, where he met Radovan Karadzic, the Bosnian Serb leader, last night, Mr Zhirinovskiy extended support for the Serbian war effort and threatened war on the West should the United Nations carry out threats to use air power in Bosnia. "If a single bomb falls on the towns of Bosnia, I warn them that this means declaring war on Russia and we will punish them for that."

Letters, page 19

Major hopes to spur Yeltsin's reform drive on Moscow visit

By MICHAEL BINYON, DIPLOMATIC EDITOR

JOHN MAJOR and Douglas Hurd, the Foreign Secretary, are to visit Russia for two days in a fortnight's time. Downing Street announced yesterday.

The visit will be Mr Major's third to Moscow as Prime Minister and comes amid Western concern over the conflicting signals from Moscow on reforms in Russia and the more nationalist tone of statements on the country's relations with its neighbours.

Mr Major, who established warm relations with President Yeltsin during the Russian leader's visit to Britain in 1992, last met him at the Brussels Nato summit last month. He

will review with Mr Yeltsin the Russian government's commitment to reform and the implications of the recent Cabinet reshuffle. He will also convey the West's concern over the departure of the most prominent reformers.

The Prime Minister may also discreetly attempt to persuade Mr Yeltsin to seize the political initiative, especially at a time when Vladimir Zhirinovskiy, the right-wing extremist, is courting publicity at home and abroad. Mr Yeltsin's infrequent public appearances and apparent passivity during the recent political turmoil have raised questions

in the West over his commitment and staying power.

Mr Major will assure Mr Yeltsin that he still has strong backing in the West for his domestic reforms, but he will want to know whether the appointment of critics of the reform process is a tactical retreat in response to the election results or represents a fundamental reversal of direction.

In response to alarm in Eastern Europe that the West seems too willing to "appease" nationalists in Russia and appears to be giving Moscow carte blanche to intervene in the affairs of other former

Soviet republics, Mr Major is likely to warn Mr Yeltsin that any attempt to re-create the old Soviet Union by force would forfeit all Western goodwill and investment. He will underline particularly the need for Soviet troops to complete their withdrawal from the Baltic states, and Mr Hurd may visit there on his way home to reinforce this point.

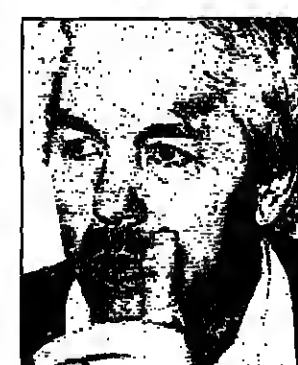
Britain's relations with Russia are good, its trade balance is healthy and its "know-how" fund is now recognised as one of the most effective Western ways of helping the transition to a market economy.

Russian nationalist wins Crimea poll

FROM ANATOL LIEVEN IN SIMFEROPOL

YURI Meshkov, a Russian nationalist, was elected president of the Ukrainian Autonomous Republic of Crimea yesterday in a move which could lead to a confrontation between Russia and Ukraine and possibly armed conflict. Mr Meshkov followed up his victory by calling for a referendum on Crimean independence on March 27.

Mr Meshkov, 48, a former legal official accused of having links with the KGB, won 72.9 per cent of the vote to only 23.5 per cent for Nikolai Bagrov, the previous Crimean leader and former Communist boss. The Crimean population is around 70 per cent ethnic Russian, and the area was transferred from Russia to Ukraine by Soviet decree in 1954.



Meshkov: calling for a referendum

Officials in the Ukrainian capital, Kiev, reacted swiftly and angrily to Mr Meshkov's election. Nikolai Mikhaïlenko, a senior presidential aide, spoke of "rough measures" by

the Ukrainian government if the referendum were held. Alexander Piskun, Deputy Minister for Ethnic Issues, spoke of the danger of conflict over the peninsula.

Boris Tarasiuk, the Deputy Foreign Minister, said that if Russia tried to take advantage of "separatist tendencies" in Crimea, it would place a question mark over the treaty on Ukrainian denuclearisation signed by the presidents of Russia, Ukraine and America in Moscow earlier this month.

Ukrainian nationalists have bitterly criticised President Kravchuk for alleged weakness in handling the Crimean issue, and the parliament in Kiev last week gave him the right to overrule any steps that may be taken by the Crimea

"in violation of the Ukrainian constitution". To impose direct rule from Kiev on Crimea would, however, risk both local conflict and Russian intervention, and Mr Kravchuk will probably try to avoid this. Much will depend on the results of the Ukrainian parliamentary elections, also to be held on March 27.

Mr Meshkov said yesterday that any move from Kiev to stop a referendum would be illegal. However, he also promised that there will be no violence or "hasty steps" by his administration unless "outside forces" intervene.

He wants the Russian rouble to become a freely circulating currency in Crimea and says his administration would try to conclude a "military and political pact with Russia".



Danger of right-wing coup adds to urgency in Pretoria talks

FROM MICHAEL HAMLYN
IN JOHANNESBURG

ELEVENTH-HOUR talks began last night in Pretoria to bring recalcitrant white rightwingers and the Inkatha Freedom Party into the political mainstream and encourage them to contest the general election in April.

As they did so, the government was considering a report which indicated the extent of the violent threat from the right. The general staff of the South African Defence Force has told President de Klerk that the security situation is volatile, and that rightwingers could resort to violence or even attempt a coup.

The Defence Ministry played down these reports yesterday, saying that the intelligence community from time to time provides analysis on security matters, and that any threats of armed resistance "must of necessity be brought to the government's attention".

But *Rapport*, an Afrikaans Sunday newspaper, disclosed that last week the general staff warned the President additionally that the loyalty of a large percentage of the officers and men of the armed forces could not be relied on in the event of a coup attempt.

The Defence Ministry dismissed this yesterday, saying it was unthinkable that soldiers would be disloyal. A senior military officer said that 66 per cent of the men in the army were black, Indian or Coloured, and that they would have no problem in putting down a white rebellion.

Rapport also said that helicopters had raided a site near Brits, northwest of Pretoria, searching for weapon caches. When three lorries of black soldiers arrived to assist the search, local farmers protested and the soldiers were withdrawn. The paper also claimed that in rural areas many commando units, a form of territorial army reserve, were controlled by the right. It suggested that only two commando units in the



Nelson Mandela being cheered while campaigning at Ikageng, near Potchefstroom, in western Transvaal yesterday. He warned rightwingers not to do anything to lead the country into conflict. "We know how to fight too"

western Transvaal were not so controlled.

Militant noises had been coming from both rightwingers and Inkatha in the run-up to last night's talks. General Constand Viljoen, the former defence chief who heads the right-wing Afrikaner Volksfront, was booed by white extremists after his suggestion at the weekend that Afrikaners should participate in the election and operate from within the system to pursue their objectives.

Mangosuthu Buthelezi,

Chief Minister of KwaZulu and president of Inkatha, promised his followers a return to the "politics of resistance" if his party's demands were not met.

Nelson Mandela, president of the African National Congress, who is campaigning in Transvaal, warned rightwingers not to do anything to plunge the country into conflict. "We know how to fight too," he told a rally in Stillfontein. At the same time, Mr Mandela has offered a possible compromise on the

demand for a separate white homeland. He indicated that Afrikaners could be offered a separate vote on a *volkstaat*, and if the majority voted in favour it would be considered by a new government.

Talks on Afrikaner self-determination with the Volksfront were also held yesterday. No details were disclosed, but a report was expected at last night's talks with the Freedom Alliance. There is little time left to draft a compromise formula and have it passed by parliament

before the election. The polls are expected to be promulgated this week.

When the President officially calls the election there will be a gap of ten days before parties will have to register for it. Unless the election date is shifted, this will be the only time left for constitutional amendment.

Radio silenced: The government won court permission to close Radio Pretoria, a white right-wing station that broadcasts in defiance of the authorities. (Reuters)

Deadlock leaves PLO facing self-rule delay

FROM BEN LYNNFIELD IN JERUSALEM

ISRAELI officials expect a delay of several weeks in implementing self-rule in the occupied territories after meetings between Shimon Peres, the Foreign Minister, and Yasser Arafat, chairman of the Palestine Liberation Organisation, ended early yesterday in Davos, Switzerland, without making enough progress to break a negotiating deadlock.

Despite astonishing front-page pictures of the two men walking hand in hand at the World Economic Forum, Israeli officials were unable to say when the peace pact signed last September would be put into effect. "I think we are talking about weeks, not more than that," Yossi Beilin, the Deputy Foreign Minister, told army radio. "It is only a very few weeks that we may still be able to remain within the time framework of a half-year for the negotiations and their implementation." He added that Mr Arafat and Mr

Peres would meet again in Cairo on Sunday.

Officials say the slow pace of the talks is largely due to the detailed work necessary to settle such technical aspects of self-rule as control of border crossings. Yet it has become increasingly apparent that a delay does not negate the



Arafat: wants to show he is getting best deal

interests of either Israel or the PLO, since Yitzhak Rabin, the Prime Minister, and Mr Arafat are anxious to demonstrate to their constituencies that they are getting the best possible deal.

"People realise that whatever we agree on here will serve as the model for the many sets of future talks with the Palestinians," a Rabin aide said.

Yossi Sarid, the Israeli Environment Minister, who was at the Davos talks, said agreement was reached that Israel would secure roads to Jewish settlements in the Gaza Strip and would be allowed to search Palestinians it regards as suspect at border crossings. But Ahmed Korei, a PLO official known as Abu Alaa, said: "There are still some problems on the crossings. There has to be a real change for people crossing to maintain security but also to preserve the dignity of the Palestinians."

NEWS IN BRIEF

Kirghizia endorses reforms

Bishkek: President Akayev of Kirghizia won a resounding weekend referendum victory in the former Soviet republic, endorsing his plan for faster capitalist reforms, officials said yesterday.

Mr Akayev, a former mathematics professor, gained 96.3 per cent of the vote, giving him the mandate he sought to override objections from a former Communist parliament. "The referendum results show people believe in the reforms and that they want to continue with the reforms," a presidential spokesman said. (Reuters)

Fatal plunge

Rome: A young Sicilian plunged to his death from a train near the town of Syracuse as he tried to escape rival fans in the most serious incident in a weekend of soccer violence. (Reuters)

Bathers stung

Sydney: Some 2,700 people were stung in one day when jellyfish, washed south by strong winds and currents, invaded Sydney's beaches. Nine people were taken to hospital. (Reuters)

Poll deaths

Dhaka: At least seven people were killed and 24 wounded when shooting erupted in the Bangladesh capital over city election results. "It's a massacre and bodies are badly mutilated," a doctor said. (Reuters)

Lethal cocktail

Delhi: At least 13 villagers died and 37 others were taken to hospital after drinking a poisonous chemical they stole from a disabled tanker, believing that it was carrying liquor. (AP)

Lynch law

Manila: Vigilantes in the Philippines capital lynched a suspect after the rape-killing of up to a dozen 12-year-old girls in the past month. A note round the man's neck said: "I am a rapist. Do not imitate me." (Reuters)

Author dies

Paris: Pierre Boulle, the French novelist whose novels, *Bridge on the River Kwai* and *Planet of the Apes* were turned into films, has died aged 81. He had been ill for some time. (Reuters)

Obituary, page 21

Marines kill five Somalis

FROM ASSOCIATED PRESS
IN MOGADISHU

FIVE Somalis were reported killed and many others wounded after US Marines in a convoy carrying two American diplomats opened fire near a crowded food distribution centre yesterday.

A US spokesman said the Marines fired after the convoy was fired on by at least two Somali gunmen, one from the bush and another from outside a building. Somali witnesses said no one shot at the Americans and speculated that the Marines fired because they believed several hundred Somalis in the street outside the food centre were trying to block the convoy, which was on its way to meet representatives of clan leader General Muhammad Farrah Aidid's coalition.

Deadlock leaves PLO facing self-rule delay

FROM BEN LYNNFIELD IN JERUSALEM

ISRAELI officials expect a delay of several weeks in implementing self-rule in the occupied territories after meetings between Shimon Peres, the Foreign Minister, and Yasser Arafat, chairman of the Palestine Liberation Organisation, ended early yesterday in Davos, Switzerland, without making enough progress to break a negotiating deadlock.

Despite astonishing front-page pictures of the two men walking hand in hand at the World Economic Forum, Israeli officials were unable to say when the peace pact signed last September would be put into effect. "I think we are talking about weeks, not more than that," Yossi Beilin, the Deputy Foreign Minister, told army radio. "It is only a very few weeks that we may still be able to remain within the time framework of a half-year for the negotiations and their implementation." He added that Mr Arafat and Mr

Peres would meet again in Cairo on Sunday.

Officials say the slow pace of the talks is largely due to the detailed work necessary to settle such technical aspects of self-rule as control of border crossings. Yet it has become increasingly apparent that a delay does not negate the



Arafat: wants to show he is getting best deal

interests of either Israel or the PLO, since Yitzhak Rabin, the Prime Minister, and Mr Arafat are anxious to demonstrate to their constituencies that they are getting the best possible deal.

"People realise that whatever we agree on here will serve as the model for the many sets of future talks with the Palestinians," a Rabin aide said.

Yossi Sarid, the Israeli Environment Minister, who was at the Davos talks, said agreement was reached that Israel would secure roads to Jewish settlements in the Gaza Strip and would be allowed to search Palestinians it regards as suspect at border crossings. But Ahmed Korei, a PLO official known as Abu Alaa, said: "There are still some problems on the crossings. There has to be a real change for people crossing to maintain security but also to preserve the dignity of the Palestinians."

Barriers fall as moguls of Bollywood go sexy

FROM CHRISTOPHER THOMAS IN DELHI

"MY trousers are sexy, my shirt is sexy, my scarf is sexy..." The name words add up to a sexual revolution in India. They are the opening lyrics of a song from the Hindi film *Khaddar*, which slipped through the censors despite the words and erotic scenes.

Sexual barriers are falling in the country's most influential medium. Every day at least seven million Indians go to the cinema and millions more watch films on television and video.

The clinging wet sari, once the limit of erotica, has been overtaken by steamy sex scenes (always with clothes on: screen nudity is banned). Bollywood, the name given to the Bombay film industry, has just released an exceptionally bawdy song - "Aa-e-e" - from a film called *Raja Babu*, which contains some of the most risqué scenes to slip past the censor board.

The song is bound to be a hit. Nandu Tolani, producer of *Raja Babu*, said it accompanied "vulgar and provocative scenes" in the film. "It is impossible to make a film without throwing some sex into the recipe. Sex has become compulsory in films." All of Bollywood is talking

about the "dalganga" song. *Dalganga* means "put it in". The song was written for a film starring Sanjay Dutt, one of the biggest of Bollywood's heart-throbs. "Dalganga, dalganga, sajni mein dalganga..." (I will put it in, I will put it in my love).

The censorship board is guided by a vague legal definition of pornography as anything that is "lascivious or appeals to the prurient interest". Board members are plainly not sure where to draw the line, practically everything coming out of Bollywood these days could be called prurient.

G.P. Sippy, president of the Film Producers' Guild of India, insists that "vulgarity and obscenity" are outdated concepts. Referring to the Shivalingam, the phallic emblem of Shiva, god of creation, he said: "Is there any other society in the world where the phallus is worshipped?"

India's reputed prudery is partly a relic of Victorian ethics introduced by the British. Folk music, particularly from Punjab, has always had a risqué touch. Now Bollywood has discovered this tradition and is resurrecting sexy folk songs for the screen.

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TIM/2

Impersonal shopping centres selling identical goods are driving shoppers away. What we need is old-fashioned service with a smile

This may be news to you, but as customer you are at long last king. The retailers are just longing for you to take your crown and tell them what you want, because they... well, frankly, they haven't a clue. All they know is that there are an awful lot of shops in Britain (too many) and that they seem to have lost the art of parting you from your money.

In the process of transforming themselves from shopkeepers into retailers, with all the attendant advances in systems and technology, in paper qualifications, in efficiency in warehousing and distribution, they have somehow squeezed out the shopkeeper's flair for actually selling things. What, they are asking themselves, is the magic trick that will turn browsers into satisfied customers laden with parcels?

Everyone talks about the consumer's lack of confidence, about the fact that there's money about but people don't have the nerve to spend it in case they lose their jobs

Bring back Arkwright's corner shop



MARGOT NORMAN

tomorrow. Nobody talks about the retailer's lack of confidence, and, for pride's sake, shopkeepers on hard times prefer to wring their hands over the contraction of particular markets (such as the older teenagers and young singles, now jobless or studying, who led the last boom) than to admit that they can't for the life of them see where to go from here.

I mention this because it seems to me to be the missing element in our neurotic, long-running and thus far inefficient national debate about dying high streets versus not-so-lively after-all-out-of-town shopping centres. British customers want both: the convivial high street for clothes, birthday presents, purchases they can carry, the lunch-hour dash, and supermarkets with parking for the weekly groceries and bulky items. At present there

aren't enough of them to have both, and as Paul Barker reported in last week's *Times* essay, planners are panicking about the out-of-town stores they have sanctioned in return for free traffic lights, roundabouts, hospitals and whatnot: the Environment Secretary is now ready to overrule them in defence of the high street, and it appears they want to go from here.

What we have here, surely, in shopping as in so much else, is a failure of local democracy. Britain has more retail multiples than almost anywhere else; their efficiency depends on organising everything from head office and supplying a network of identical units all over the country with a range of identical merchandise.

Local managers are now a lot of subservient jobsworths who sit in their offices processing instructions

from head office until the order comes to go and process the same instructions in another branch. They hardly see a customer, and they are not by nature the showmen that shopkeepers need to be in order to make their customers love and patronise them. What real, full-blooded shopkeeper would accept those working conditions anyway, with zero discretion to

respond to what the individual customer wants?

What use are these people in the chamber of commerce, when the local council sounds out opinion? Damn all I should say, with no loyalty to the town, little knowledge of it and all the personality of a dishcloth. Chambers of commerce are feeble instruments, no longer the rumbustious engines that used to drive the British town.

Your couriers, King Customer, leave much to be desired. Desire is in fact what's gone out of shopping. What's sexy about the average department store? Nothing, which is why the young builders I know prefer to cross town and buy their aftershave at Penhalgons in Bond Street. Queuing in Boots in paint-splashed overalls they get smoochy looks from the checkout girl, but in Bond Street they get service, and

the feeling that their money is as good as anyone else's.

When they're not covered in paint they wear decent clothes, which they buy from shopkeepers who have the authority to haggle, throw in a discount here and there, and bring a bit of fun back into the business of parting with money.

The children I know have pocket money, and wander round the shopping centres hoping in vain to find somewhere offering more inspiration than the usual mix of greetings cards, Disney key-rings, unloveable cuddly toys and pot-pourri. In the end, every time they wind up at the same crowded little independent toyshop. Younger teenagers have money too, but they like to look before they buy and are frequently treated like shoplifters.

As for the grown-ups, especially the men, all their shopping juices dry up when there's no sign of a human being on the shop-floor to provide a smile and some encouragement. How about bringing back the models who used, I'm told, to swan about department stores showing off clothes?

The only cheerful sign in the high street, so far as I can see, is the survival of Robert Dyas, the ironmonger. Indeed, this dear old private company that has bucked all the Yankee trends and gone on selling nuts, bolts, washing-up bowls and other things that customers actually need from high streets in and around London has just opened two new central London branches.

They have human beings in there, who give advice and all that old-fashioned stuff. Goodness knows how they've managed it, but if they hang on in there long enough the retailing gurus might even notice them and salute them as the innovators of the 1990s.

A slave to dark truths

Julia Llewellyn Smith meets Marsha Hunt, who is embroiled in a bitter literary feud with this year's winner of the Whitbread book prize

Marsha Hunt is slitting straight-backed and cross-legged in an armchair and she is determined not to smile for the photographer. "No, no, I won't do it," she declares, tossing her hair over her shoulder and trying not to laugh. "You do one hundred serious ones and then they pick the one where you're smiling. We are doing a serious piece here."

She says it in a jokey voice, but she means it. And, after all, if you are Marsha Hunt you must be pretty tired of not being taken seriously. You are 47, you lead a semi-reclusive existence, you have acted with the Royal Shakespeare Company and at the National Theatre, you are the author of two well-written, well-reviewed novels and what do people remember you for? Your flower-child youth, when you took your clothes off in

Hoir, appeared on the cover of *Vogue* and bore Mick Jagger's love child, Karis.

But, sadly, I am not here to find out about any of this. I am here to discuss the definition of slavery and to hear the other side of the first literary feud to brighten 1994.

The feud began at the Dartington Literary Festival last August, when Hunt was invited to share a platform with another American expatriate author, Joan Brady, to discuss slavery in literature.

Hunt was there because of her novel *Free*, which deals with a black American family after emancipation, and Brady was the author of *Theory of War*, which last week won the Whitbread Prize and is a fictional account of her grandfather's life in servitude in America, after he was bought in 1865, aged five, for \$15.

Hunt says: "When it was my turn to speak I said I thought

Joan Brady's was a splendid book, but I had to say also that this was not a story of slavery; it was a story of indentured servitude."

Hunt did not give Brady another thought until she received a telephone call last Thursday asking if she had seen that day's *Times*. There, in an interview, Brady recalled her hurt at the encounter, adding that the audience sided against her, because Hunt was black and a performer. Never one to let things lie (viz. her vigorous paternity suit against Jagger), Hunt was on the warpath.

But surely, she was wrong? If Brady's grandfather was not a slave, what was he? "This boy was to be released at 21 and given \$25 and a saddle. That is not a slave."

According to the United Nations 1966 definition of slavery, she is wrong. Slavery, among other things, is when



Marsha Hunt, novelist and former actress, says that Joan Brady's grandfather, who was sold aged five for \$15 in 1865, was not a true slave

"a child... is delivered... to another person, whether for reward or not, with a view to the exploitation of the child or of his labour". Nonetheless, Hunt has a point when she says that there is a difference

between the situation of her ancestors and Brady's grandfather.

She says: "Generations of people suffered forced labour, a desegregation from the culture in its entirety, were denied the right to language, to learn. Slaves were born to the concept of having no rights; they knew they would die in it and would raise children who would go into it."

"At five, Joan Brady's grandfather already had the language, he had been given a sense of his right to life and he knew one day he would be free. When he escaped, he could integrate himself into the society because he did not wear the alien uniform that meant he could be captured by anyone and returned and sold to anybody."

It still sounds as if she is dismissing a horrendous experience, saying only blacks can truly suffer. "Everybody's got their own pain, everybody's got a right to be heard. Joan Brady's grandfather suffered, in the same way as English

children in Dickensian London suffered. I don't deny that. But all she is saying is that the experiences of her grandfather had a resonance on future generations, that her grandfather grew up to be a very stern man."

Excuse me, but if you have a depressed parent, it has a resonance. If there are tragic results for a family who has suffered from one member's servitude, imagine how it resounded on generation upon generation, and resulted in the apartheid we see in America today."

For one so anxious to see precise terms, apartheid is a very strong word. "There is definitely, in certain communities, a division of the races that's extraordinary." She loathes the politically-correct description, African-American. "My family has been in

the US since 1788 and if you still need to identify me from the nation from which I was stolen, there's a problem."

If Brady felt intimidated by Hunt, you can understand why. She appears overwhelmingly self-assured, thanks, partly, to her mid-Atlantic extended vowels (in television presenter Loyd Grossman they were described as "irritable vowel syndrome"), which give her, unintentionally, a slightly patronising air. Behind her considerable charm, vivacity and her cheerful use of expletives at a rate to rival Graham Taylor, there is a vice-like will.

Why should this multi-talented woman, who lives most of the time in rural solitude in France and who has clearly overcome the disadvantages of her race and sex, feel that she

can speak for poor, black Americans? "In Europe people see me as American," she says. "They associate me with McDonalds and Disneyland. But as soon as I step off the plane back home, to many people I am just a nigger. My heritage is identified in my person."

This is a woman whose father committed suicide when she was nine, something she found out years later. Her family was not well off, her mother worked and she was raised by her grandmother, who, in turn, had been raised by her grandmother, a former slave.

The family ethos was one of determination not to go under. Hunt's proudest achievement is to have educated Karis at English boarding schools and to see her graduate from Yale. "Joan Brady said I was very rich. Well, first of all I'm not and second what the hell would it matter if I was? Don't dismiss me because of my looks; give me some credit for putting myself together with no bucks."

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THE TIMES

AT 30P IT'S A SMALL PRICE TO PAY FOR A GREAT NEWSPAPER

A French magazine claims to be the first devoted to marital breakdown

AT FIRST glance, the glamorous young couples on the cover of France's latest glossy magazine look just like all the others. They are healthy and sexy, though perhaps a little wistful, and at least one of them is usually smiling. The giveaway comes with the grey fracture line that cuts across the image. The magazine in question goes by the bleak title *Divorce*.

In an age of positive thinking and upbeat marketing it would be hard to come up with a less appealing name for a new monthly. But the team behind *Divorce*, now in its third issue, claims to have struck the mark, achieving a healthy 60,000 sales with its advice and encouragement for the big chunk of the population in the throes of marital breakdown.

"We chose the title because it was simple," says Franck Cadet, the magazine's director. "We would have preferred to call it something like *Dislocated Families*, *Divorce Before and After* or *Disunion*, but you can imagine the effort it would require to get name recognition for a title like that."

Marital anguish is scoring as a sales pitch in France, at least judging by the elaborately produced commercials for the Renault Laguna car, released this week. These feature a quarrelling couple, survivors in some kind of post-apocalyptic landscape. The car seems to be offered as therapy. With *Divorce*, the

Divorce: the story so far

GEPS publishing house, which owns a group of health-oriented magazines, says it is filling a void, providing advice and a matter-of-fact approach to a topic still shrouded in taboo, despite the breakdown of one in three French marriages.

"In France there are magazines devoted entirely to chinses or swimming pools, so why not have one based on the failure of love?" says M. Cadet. "Nowadays there are people who divorce like they change shirts. It's been made routine, yet it makes people go through very difficult times."

THE PUBLISHING team came up with the idea when one of their number was close to a nervous breakdown over her divorce and was complaining that she could not find enough information. "So we said: 'Why not create a magazine on the subject?' We investigated and found that no such magazine exists anywhere else in the

world." There is an obvious commercial explanation. What advertiser wants a showcase in a journal on suffering? *Divorce*, which has 42 all-colour pages, says it can do without advertisements, except a few for services such as up-market dating agencies and a detective outfit.

Divorce takes a direct approach, starting from the premise that *la rupture* has already taken place or is just about to. Few of its articles suggest repair work on the relationship. More typical is the piece on "Going through mourning for the other", or "Your last battle" on how to minimise the bitterness, complete with tips such as "accept reality as it is without bogging yourself down in memories".

It is all worthy stuff and it will clearly help to persuade readers that they are far from alone in their anguish. But there is something that jars, a perkiness that sometimes makes it seem that divorce is just another consumer item.

Obviously, the editors are trying to lighten a traumatic topic, but the dissonance is especially intrusive in the illustrations. In *Divorce*, the French lose their *joie de vivre* and elegance as much as anyone else, but you would never guess it from the pictures, which feature only beautiful young models with nary a scowl in sight.

SADDEST of all are the pretty children distributed around the articles on handling the impact on the offspring. Seven to nine years old, we learn, is the least traumatic age to survive the parental break-up. Between three and six, they blame themselves. Do not treat your kids like adults, goes one piece of advice. Another gives guidelines on breaking up during pregnancy.

Is there not a danger that such a magazine might not itself be adding to the "banalisation" of divorce? Absolutely not, says M. Cadet. "We are filling a great need for help and advice." Proof, he says, are the thousands of letters from grateful readers which have arrived since the first issue appeared in November. If there is a hopeful tone in the magazine, he says, it is because divorce is "not just something sad. It's sometimes a liberating solution. It's the end of the tunnel and the beginning of a new phase."

CHARLES BREMNER

1500

Lynne Truss



What's my number? I wonder how your fingers feel

Alarming news reaches us that Britain is running out of phone numbers. (I'm not making this up, by the way — Ofel is wringing its hands.) Apparently, there just are not enough combinations of digits to go around; resources run dangerously low, and a crisis threatens. Personally, I am not sure what to make of it (should I join a phone-number conservation group, insure my fax line, send a cheque, phone somebody, what?), so naturally I want to be sure I'm not just on the receiving end of an elaborate alarmist hoax. Alongside a story I saw in the weekend papers ("Phone number crisis warning") was a well chosen photo of a worried shirt-sleeved executive, receiver clamped to his head, looking anxiously at the photographer, as if expecting his phone number to be snatched from him at any moment. Surely it will never come to that?

To look on the bright side, most of us may rest easy that — for once — this shortage is not our fault. Few people possess more phone numbers than they require: few buy them on impulse, give them as unwanted presents, chuck them away in the rubbish; most of us get our phone numbers at an early age and then hold on unthinkingly, quite satisfied not to meddle or mix. No, there is nothing we can do to conserve our phone numbers. The trouble stems from large companies dispensing with switchboards, and insisting on having individual lines for their employees, thereby stretching the finite resources to snapping point, and depriving future generations, blah blah. So, although a huge extra capacity was created in London by means of the great 071, 081 scam, much of this slack has already been yanked tight again by greedy corporations. And as usual, guess what, it's the children that suffer.

No one thinks of the future, you see. It's the old environmental story again and again. Impudence and thoughtless waste, big business versus the disenfranchised unborn babe. In years to come, someone will write a nostalgic book entitled "Before the Digits Ran Out", and people will try to read it. Couples will arrive home from the opera to find ("Not") that their phone number has been stolen, and nothing else touched. Public call boxes will be festooned with numbers on little coloured cards — rather as they are now, the difference being that you won't ring anybody up, you'll just get the excitement from the seven figures, preferably in the privacy of your own home. Spivs will stand on windy Soho street corners, attempting to sell cheap foreign phone numbers such as Vladivostok 2167 and Tashkent 1212 to people so desperate to sidestep the official ten-year waiting list that they'll gladly pay the five hundred quid and take the chance.

In some ways, however, this bleak Orwellian vision (oh, I forgot the smell of boiled cabbage) is a rather better alternative to the more likely practical outcome — viz, the clocks striking 13 as usual, but only after laboriously prefixing 0717825000. Can we cope with another "tier" of digits in our phone numbers? Can we bear to prefix the number "1" on every phone number, as from this June? I feel I speak for everyone when I say — nay, shriek — no, we can not, not possibly, leave us in peace, why can't you. Already, by the time we have dialled our chum's house across town, we are bleached of energy, too exhausted to speak, our dial-fingers trembling with fatigue. Already, it is only super-brains such as Nigel Short who can recollect his Mum's phone number without checking. Already, people answering phones snap "Who's that?" rather than reel off the simple number, as they always used to do. Things have gone far enough.

My own modest proposal is that, instead of piling on more numbers, it might be possible to reintroduce words into the dialling system. Not the old-fashioned three-letter codes such as MUS, RIC and POP, but the whole place-name, and the longer the better. It would be more fun to dial, easier to remember, help people with their spelling, and leave room in our brains for more enjoyable things than six-digit telephone codes. And I promise, even if you were phoning somewhere longwinded and exotic such as M-A-C-G-I-L-L-C-U-D-D-Y-S-R-E-E-K-S, it would probably still entail fewer taps on the keypad, or turns of the dial.



RED CARPET

Peter Brooke

Excuses piled on disgrace

There is an ancient proverb that goes "When one door shuts, another opens". Yes, but why does the shutting door invariably catch my fingers? In other words, I am frequently obliged to don my rusty armour, bought years ago off the barrow of a rag-and-bone man, fish out my bent (and blunt) sword, and take up the case of some poor devil who has been swindled, maltreated, wrongfully imprisoned and/or suffered one or more of the infinite varieties of oppression that this world affords. (Which, I can testify, are not few.)

Well, on this occasion I must gallop (or more exactly, hobble) to the succour of an entire nation; for there is one at hand which greatly needs succour. And I must denounce that same nation: its rulers should be arraigned before the bar of justice, so grave and numerous are the evils now to be exposed.

When I say "now to be exposed" I am not the exposé; all I can do is to help spread the truth by recording it in this space. In other words, I have on my desk yet another massive, thorough and meticulously tested report from Amnesty International. Founded in 1961, the brainchild of Peter Benenson, Amnesty has done an infinite amount of good and lasting work, and it is no metaphor to say that it has made the world a significantly better and safer place. To be sure, the countries impeached (there must be scores by now) have not instantly flung open their jails, ceased to rig their elections and restored to their positions the men and women who were sacked for telling the truth; nevertheless, Amnesty has made itself rightly feared. Now, step forward Tunisia's apologists.

No need, they have already stepped forward, unfortunately onto a banana-skin. I have long made a habit of examining the excuses of tyrannies, and I have constructed a kind of ladder on which their claims can be tested. The louder they shout that they are innocent and that Amnesty is biased, ignorant, mistaken and even crooked, the more certain it is that Amnesty has got its condemnation exactly right. And, tested by my ladder, the wickedness of Tunisia's brutal repression must be a nonpareil one, if we go by the literature, hysterical and gibbering "defence" that constituted the Tunisian Embassy's rejoinder. (It is headed "Non official translation"; but I think we could have guessed, unaided.) Try a sample:

Tunisia's dismissal of Amnesty's findings of arbitrary injustice makes things worse

False allegations, excessive and misleading generalisations, fallacies... it seems that the main *raison d'être* of Amnesty International is to falsify facts in utter disregard of the truth and its own credibility... We note that none of the initiatives of the Tunisian Government in favour of Human Rights... could satisfy this organisation... needless to say that this reality attested to by the most impartial observers has irked Amnesty to the extent of bestowing on Tunisia the most fanciful description... This is precisely the time picked by Amnesty International and its partners to publish a report where sheer fantasy and bias compete with malevolence and a clear determination to harm Tunisia... We see in this a most serious drift of the movement of human rights...

With which I turn to the Amnesty report, and a grim one it is. First, there is something to be said on Tunisia's side. That country, like so many in the area, is plagued by the fanatical fundamentalists, and the fight against them has been a savage one on both sides. It is one of Amnesty's finest characteristics that it does not distinguish between legitimate governments and their opponents, but if human rights are denied, Amnesty is there. But Tunisia must find it difficult to live up to such an ideal.

That said, there is nothing more to be said for a country that has a massive structure of human rights, with courts to see that justice is done, with strict laws against arbitrary imprisonment, with impartial enquiries into breaches of rights, with the greatest condemnation of the use of torture, with "cover-ups" rigorously exposed — a country, as I say, that has a massive structure of human rights, and where the leaders not only ignore all the rights that they claim to uphold, but have in addition destroyed an impartial judiciary, countenanced — indeed encouraged — torture, stifled the press, crushed independent rights organisations and let loose a police force which murders prisoners. And of course there is no hope of redress.

For this is the ultimate Potemkin country. The whole of its "massive

structure" of human rights is a mirage, and a man-made mirage at that. Look at any pillar of any free state — impartial laws, freedom of speech, no arbitrary arrests — every one of these pillars is firmly fixed in Tunisia's constitutions, and every one of these pillars is hollow and made of cardboard. As one reads through an increasingly sickening catalogue of oppression, beatings, torture and fear, Tunisia becomes a land where all bulwarks of freedom have been destroyed, and where gangs of criminals have been exalted and now rule the country.

In Tunisia, now that all laws and constitutions have been swept away, anyone can be thrown into prison without any reason given; any prisoner can be held incommunicado and indefinitely; records are falsified to cover up the disregard of human rights; the Amnesty report lists the names of the "disappeared" and what has happened to them (if known).

The oldest tyrants' trick is used: the rulers admit that there have been abuses, but as Amnesty says, the government "has never once conceded the truth of a single specific case of prolonged incommunicado, detention or torture. On the contrary, it has consistently denied that serious human rights violations occur".

But that's nothing. The Tunisian constitution strictly forbids torture, but when, as now, there is no law and no justice, torture abounds, while the dictators and their tame judges continue to parrot falsity. As Amnesty says,

"... torture is practised not only in police, gendarmerie and national guard stations throughout Tunisia, but even in the Ministry of the Interior, a few metres away from the minister himself. By perpetually denying, in the face of compelling evidence, that torture occurs, and by failing to take action against it, the government has in effect offered the torturers immunity from punishment and encouraged the continuation of a practice it professes to abhor."

Bernard Levin

Trusty servant

ACCUSED by its critics of over-commercialism, the National Trust is responding by roundly embracing the private sector and bringing in a firm of headhunters to find a replacement for its director-general, Sir Angus Stirling. Advertisements for the post will appear at the weekend, shortly after Stirling has formally announced his intention to retire at the end of next year, the trust's centenary.

Stirling is currently taking a cruise on the Nile, so he cannot comment on who might take on the mantle of running the trust, which has more than 2 million members, 570,000 acres and thousands of properties.

Apart from one or two columnists from this newspaper, suggestions for the post have included David Mellor, the former Heritage Secretary, and the chief executive of English Heritage, Jennifer Jenkins.

Dame Jennifer Jenkins, a former chairman of the trust, believes the position warrants a proven business manager. "Angus will be a very difficult act to follow," she says. "They need someone of great administrative ability. It is a very big management job."

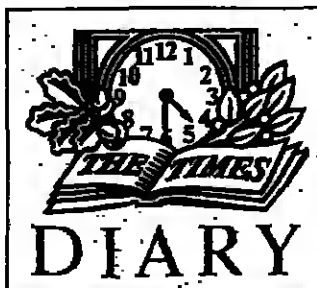
Lord Montagu, the former chairman of English Heritage, says the trust's considerable land holdings require expertise in land management. "I do not think someone needs great experience in country houses, but it is also a pretty political job, dealing with all the government agencies."

Impurely fictional

THE usually staid Westminster Hall is braced for the official launch tomorrow of Edwina Currie's much-hyped political romp, *A Parliamentary Affair*.

But mislearned friends are already busy, causing the consternation is Currie's portrayal of a randy thirtysomething Australian journalist, Miranda Jamieson, deputy editor of *The Globe*. This portrayal has not gone down at all well with Amanda Platell, the Australian thirtysomething director of marketing at Mirror Group Newspapers.

Platell, who briefly worked with Currie at *Today*, reckons readers may believe the character of Jamieson is based on her. Her lawyers, backed by MGN, are examining the book and plan to sue.



Platell has taken exception to Currie's portrayal of a journalist who eases her ascent up the greasy pole of the fourth estate by dispensing sexual favours — most notably on Westminster Bridge.

Platell further complains that "her character" has an affair with a Tory MP. "I have never had an affair with a Tory. If I did it would be on the front page of the *Mirror* right now."

● Peter Brooke, our high-minded Heritage Secretary, informs readers of his local paper, *The Westminster & Pimlico News*, that the historical figure he identifies with most is Sir Abubakar Balewa. Balewa — should you need reminding — was the first president of independent Nigeria, who was assassinated in 1966. "He was a black Burke," explains a spokesman, referring to Edmund Burke, the 18th-century statesman and

philosopher. "Mr Brooke felt his assassination was more tragic in terms of what happened to the country than John Kennedy's."

Status symbols

THE TIMING of Rover's proposed sale to BMW could not be more unfortunate for patriotic ministers. Thanks to a multi-million investment scheme, the Westminster car pool is now kitted out almost exclusively with Rovers: Sterlings or 825s for Cabinet ministers, Rover 416s for colleagues further down the ladder. Even John Smith has a Rover — in Labour, of course, rather than the ministerial dark green or blue.

But if Rover is ruled out, what should the flag-waving minister be driven in? Car-fanatic and former minister Alan Clark has the answer: "Bentleys for secretaries of state, Morgans for ministers of state, and Reliant Robins for parliamentary under-secretaries."

Free speeches

THE Oxford Union Society is taking no chances with Wednesday's highly sensitive motion, "This House believes that Islam and democracy are incompatible." No alcohol will be served at the pre-debate dinner, after which the Middle Eastern correspondent of *The Times*, Hishir Teimourian,

will once again come face to face with the outspoken speaker of the Muslim parliament, Dr Kalim Siddiqui. The two men are, shall we say, not known as compatible. Union president Kate Wilson is taking precautions. "I'm making sure I get a gin and tonic from the bar before the dinner — and I certainly won't be wearing Chanel."

Wear it's at

FOR the first time in six years, Count Nikolai Tolstoy-Miloslavsky will be appropriately dressed for the War & Peace Ball to be held this week in period costume at London's Café Royal. He has been given three Cossack uniforms as a result of Russia's "liberation", and is dusting one of them down.

The beskirted count will stop

short of the Cossacks' legendary leg-throwing antics but promises a waltz or two. And judging by past occasions, vodka will be taken liberally. "Some friends told me once they knew the ball was taking place because they saw a Cossack asleep in Regent's Street at 2am."

Bitter bit

FEW tears are being shed by the editor of *Private Eye*, Ian Hislop, over the planned departure of Christopher Silvester, his mischievous Grovel columnist and former news editor. The *Eye* has provided a release for Silvester's vitriol for a decade, but the waspish dandy is to transfer to the *Evening Standard* as deputy editor of its diary column in April.

Hislop took exception to Silvester's unashamed use of the Grovel logo to plug his book in November, and abandoned the malicious gossip column soon afterwards. However, he believes Silvester may yet fulfill both roles. "Most of our contributors have grown-up jobs elsewhere," he says. "My guess is he needs the money."

Peter McKay, a former *Eye* columnist, warns of the difficulty of leaving. "You can check in but you can't check out. Those who have done so endure years of abuse and lies in its columns." Silvester is unperturbed: "Lies and abuse? I'm used to that."

Roving across frontiers

Graham Mather
on a merger that
points forward

Many observers will share the balanced judgment of Jim Thomas of the MSP union on BMW's acquisition of Rover: "It's a great shame that UK ownership will be lost. However, we have two quality companies coming together and they will be able to pool research and development resources."

Why should it be a great shame for Rover to become part of a larger European group? What is the downside of foreign ownership? BMW's price looks good, jobs are secured, the merged group will be a quality player in European and world markets, its scale will attract new investment, its prestige will help pull in the best managers and staff.

And yet and yet: the instinctive hesitation persists. Won't key decisions now be taken by Germans? In the event of a downturn, won't the British end be the first to suffer? More generally, why are so many top-class, hi-tech British businesses now being acquired by French or German companies?

The truth is that more overseas acquisitions of British companies are both likely and desirable. They are likely because Britain's post-war economic underperformance and the steady devaluation of the pound against the mark, and more recently against the franc, makes for a ratchet to overseas ownership. Accommodating overall economic underperformance by devaluation — most recently on Black Wednesday — eases political pressures at home but increases the supply of the best British businesses available to purchasers based in strong currency zones.

Rover is now a manufacturing star: but in the latest World Competitiveness Report, British manufacturing is perceived to be bottom of the list: 22nd out of 22 developed countries assessed. The paradox is that our historical weakness in manufacturing makes the exceptional performers tempting takeover targets.

Foreign ownership can be positively desirable. All the evidence is that European or North American purchasers of hi-tech companies have every incentive to give them maximum business autonomy, to preserve their brand images, to allow competing centres of excellence to flourish while squeezing costs.

Where British businesses have achieved turnarounds on the scale of that achieved by Rover, it would be crazy for their new owners to lose their identities or make them mere outposts: the purchaser needs their distinct strengths to help capture markets that are at once larger and more discriminating.

The net effect of overseas interest in Britain's economy has been foreign direct investment of more than 3 per cent of GDP (in 1990) — higher than manufacturing investment itself. This has had a tangible result: by the end of the 1980s, foreign-owned firms were getting 45 per cent more output from their British workers than their British equivalents (a net output per employee of £39,260, compared with a domestic £27,157).

Rover is a textbook example of the process. It was rescued from its past by Japanese investment. It was freed from political control by privatisation. Now German resources can turn the new group into a truly world-class player.

When heavyweight British businesses are acquired by foreign owners of the scale and resources of BMW, there is no economic disadvantage. The domicile of its ultimate parent has little or no bearing on Rover's prospects: its parent's commercial commitment and compatibility with the rest of the group are far more important.

A new wave of acquisitions and mergers is likely to accompany global recovery, but it will be particularly acute in Europe as the business community restructures to take advantage of the large single market. Economic liberals, especially those who supported both a floating currency and the single market, can hardly complain as this integration takes place, driven by markets not politics and with competition laws in place to guard against abuse.

Britain has forced upon itself the structural changes to labour markets and state-owned industries which our European rivals — even those with fundamentally stronger economies — have yet to face.

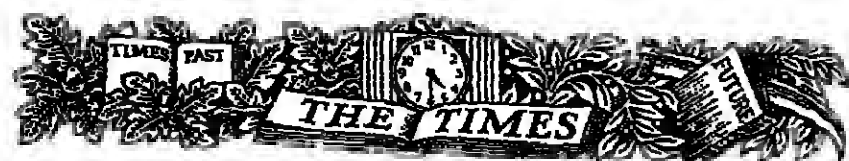
If we cannot be frank about the traditional weaknesses — in productivity, growth, and in stop-go economic hurdles — then public understanding, political backing and coherent strategy for revival will all suffer. Equally, ministers must accept that the widening of markets may mean more familiar names going to foreign owners. At the same time, we must continue to remove blockages impeding British business expansion overseas. British Gas, National Power, PowerGen, British Telecom, Mercury, BAA and other privatised success stories have huge expansion opportunities, not least into France and Germany, as liberalisation and privatisation get under way and public procurement opens up. In many of these areas, the pace is too slow, strong domestic monopolies are well dug in, and markets are being protected.

Britain seems to be recognising that a German owner of Rover could mark that company's rebirth, and be a sign of Britain's liberal, open and strong economic positioning. But we are entitled to expect that similar attitudes should prevail elsewhere, as British-owned businesses start providing energy, power, telecoms, transport infrastructure and other former state services across Europe.



66b

Roving
across
frontiers
Graham Matheson
on a merger that
points forward



SHUFFLE TIME

John Major should clear the decks to save his job

Sir George Gardiner's mission when he sees the Prime Minister today is aimed at shifting the Cabinet to the right and keeping Kenneth Clarke from Number Ten. Like so many recent political initiatives it looks set to have exactly the opposite result to the one intended. A rapid reshuffle would probably help John Major. As a result of Sir George's efforts it will probably not come about.

The Prime Minister began 1994 with the sure knowledge that tax increases would make him more unpopular and that his party was bound for heavy defeats in the coming European and local elections. He judged, however, that a demoralised and divided party would not want a leadership election and that his personal position was thus safe until economic recovery took strong hold.

That assessment now looks more shaky. Although heavy electoral defeats this year would not be bearable, he wishes to restore his prospects to that of the bright New Year — before the party discovered adultery, gerrymandering and a reawakened Norman Lamont — a reshuffle which cleared out some tired old faces and promoted some new ones might make just that necessary difference between disaster and total disaster.

The arguments against a reshuffle are also clear enough. The Prime Minister is still struggling to look like a man in charge of events rather than a man at their mercy. Although some MPs, like children blowing raspberries at an ineffectual headmaster, may secretly wish that he would reassert his authority over them, others are simply holding back their sniggers for another botched attempt at self-assertion. The sniggers would see a reshuffle now as an act of

absolute desperation. Moreover a big reshuffle now would weaken the possibility of one in the summer — when Mr Major's need for scapegoats could be greater still.

Before Sir George's intervention, the case for taking charge and clearing out his Cabinet seemed to be strengthening. The odds were for a judicious promotion of the young of left and right, the removal of a token disloyal bastard, a purge of long-serving ministers, some of whom would be almost grateful to go, and a slight shift of overall emphasis from left to right. The potential gains might not be enormous, but they might at least float the battered ship of government off the rocks.

Among possibilities for demotion: John Patten, Tony Newton, Peter Brooke, John Gummer, John MacGregor whose recent service has been particularly arduous, and William Waldegrave, who might find a home at All Souls. A mix of potential replacements would include Stephen Dorrell, Jonathan Aitken, David Howell, David Heathcoat-Amory and Michael Forsyth. If Mr Major were to sack one of the "bastards" in his Cabinet, the obvious candidate is John Redwood, who seems to pride himself in making life difficult both for the Prime Minister and his colleagues. Mr Major should sack Mr Redwood *pour encourager les autres*. Mr Aitken or even Michael Portillo could do a fine job at Defence. After the initial resolve, the details would not present too much difficulty.

It may now be said that to reshuffle before the summer polls would be to risk the charge of giving in to blackmail, and that the party left might endure the dismissal of their old stalwarts, but not at Sir George's hands. That will, indeed, be a risk — a risk worth taking.

ROVER'S RETURN

The BMW offer may be flattering, but is it a good deal?

Beginning with the first Austin plant at Longbridge in 1905, the history of Britain's car industry is etched into the Rover Group. If British Aerospace's shareholders accept the £800 million offer by BMW for an 80 per cent stake in the company, Rover will not only cease to be British-owned: it will have been bought by a German company whose first car, in 1928, was an Austin Seven built under licence. The sale comes, moreover, just when Rover, which in its British Leyland incarnation was an emergency case of "the British disease" and scene of epic industrial battles, is poised to be one of the quality vehicle industry's success stories.

Here are all the makings of a classic British row about an industry which inspires almost as much patriotic nostalgia as coalmining. There are good reasons for the shareholders to subject this deal to close scrutiny, but first some of the sentimental undergrowth needs to be cleared, beginning with the accusation that BAE has somehow cheated the taxpayers. For all Lord Young's cheery description of BL's sale to BAE in 1988 as "the sale of the century", the privilege of ownership has cost many times more than the original £150 million purchase price. Until last year, Rover's debt servicing costs more than offset operating profits.

More pertinent is the question whether BAE is selling Rover too cheap. Last year, when the European market shrank by 15 per cent, Rover was the only major carmaker to increase sales. The global four-wheel drive market is growing three times as fast as the car industry's. Land Rover has world-beaters in Discovery and Range Rover, and could be worth £800 million on its own.

Second, Rover's resurrection may owe much to its strong management and marketing teams, and to its newly flexible, highly productive workforce. But apart from the wholly-British triumph of Land Rover,

the key technical and production innovations in Rover's mainstream car business have been not British, but Japanese. What BMW will be buying is everything that Honda, which holds a 20 per cent stake, has been able to teach Rover about high quality engineering at reasonable prices. Rover's much praised 400, 600 and 800 range models are Hondas with British flourishes.

It is precisely because the Honda-Rover marriage has been so happy that both the deal with BMW, and BAE's treatment of its Japanese partner, require scrutiny. Honda, which was prepared to increase its stake but not to make a full bid, has kept its pledge to build up Rover as "a British company with its own brand identity". More to the point, that suits Honda as much as it has profited Rover, because the companies' strengths are complementary — as Honda's decision to market the Discovery in Japan illustrates.

There is, by contrast, no clear logic in BMW's proclaimed commitment to Rover's future as a maker of executive cars. They have been making inroads in BMW's core market and BMW could be tempted to suppress Rover's upmarket lines and concentrate its promised investment on Rover's small front-wheel drive vehicles. That would reverse the entire thrust of Rover's ten-year strategy, aimed at becoming a model medium-sized maker of premium cars.

Honda, informed only at the 11th hour by BAE, has complained with a frankness rare in a Japanese corporation. If it pulls out, Rover could also be liable to pay compensation for transferred technology. Yesterday, the Government pursued that BMW's offer is a vote of confidence in the British economy. But it could also have repercussions for Japanese investors' confidence in doing business with British companies. Nationalism may have no place in this enormously competitive industry; but fair dealing does.

ON CAMERA

Justice can be seen to be done, but caution is needed

The inability of two separate Los Angeles juries to reach verdicts on the Menendez brothers, accused of shooting their parents, highlights the impact of television on sensational trials. Neither the juries nor the huge armchair audience in America could decide from hours of live testimony whether the parricide, admitted by these two rich, handsome Beverly Hills defendants, was mitigated by allegations of parental sexual abuse. Justice has blended with entertainment: the six-month trial became yet another soap opera, with filmed reconstructions, edited highlights, interviews with witnesses and talks shows in which almost every lobby group has aired its prejudices.

The Menendez trial is only the latest in a series of cases that have been exploited by the media, film agents and the purveyors of commercial kitsch for their sensationalism: those of Lorena Bobbitt and her husband, and the boxer Mike Tyson being the most disturbing. Inevitably, it is alleged, the verdicts have been influenced by the hoopla and the politicised atmosphere. But are the cameras to blame? Justice is not private, it can be argued, and the public has a right to know what goes on in court. Access through the television lens helps society to ponder rights and wrongs. If this raises respect for the process of the law, so much the better; if it also acts as a deterrent, one aim of justice will have been served.

The cameras, however, are not the real issue. What amazes those used to more

rigorous restrictions on court reporting is the disregard of any *sub judice* limitations and the blatant attempts by lawyers on both sides to influence the outcome outside the courtroom. Finding juries unbiased by pre-trial publicity is almost impossible and can lead to the selection of people too obtuse to comprehend what is going on.

Cameras can undoubtedly change behaviour in court. In America they also encourage the present "victim culture" which exonerates anyone from responsibility if he or she can prove a childhood trauma, marital abuse or social disadvantage. Counsel has only to play to the gallery and the focus, politically and literally, falls on the alleged victim.

Some 45 states in America now allow televised trials, and eight other countries have also experimented with them, including Canada, Australia, Israel, Italy, the Netherlands, Norway and Spain. Most, however, have rigorous safeguards to prevent the distortions that affect the most salacious and sensational American trials. Britain has had a total prohibition on cameras, moving or still, in court since 1925, but this may change. Scotland has already allowed experiments in documentary filming, and in England the Bar has been pressing for similar limited experiments. A sensitive depiction of justice can bring it closer to society, stimulate debate and make it more "relevant": an American court-room circus risks not only mistrials but injustice.

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 071-782 5000

The true nature of Britishness: a problem of identity

From Sir Archie Lamb

Sir, It is, I think, pertinent to ask if Burke's "little platoons" — of families, neighbourhoods, schools, churches, professional groups, regiments and other bodies (leading article, January 24) — can alone restore the Britishness of our society without a much clearer national context for their activities. Michael Portillo's speech (report, January 15, letters, January 18, 20, 22), to which you refer, touched on a crisis of identity in the country.

The many contributory factors to this crisis which must be addressed must surely include uncertainty about Great Britain's place in the European Union and in the wider world (what is the current relevance of the Commonwealth to the European Britain of today?) together with the sudden and unexpected (in historical terms) change in the ethnic composition of its people, bringing a multi-culturalism which throws doubt upon whether Britain is still a Christian kingdom and a member of Western Christendom.

All the changes and trends which have beset Britain have been encouraged by those set in authority over us, whether State, Church or quango, who are themselves drawn from the chattering classes: a village Hampden does not get a look-in.

I hope that the forthcoming articles to which your leader refers will define British nationhood in terms acceptable to all of us who embrace it. A definition is certainly required by our political leaders: only if they understand it and explain it convincingly to the people can they agree with your platoons on the way ahead for Britain.

Yours faithfully,
A. T. LAMB,
White Cross Lodge, Zeals, Wiltshire.
January 25.

From Mrs Pauline M. Atkins
Sir, Your leader is right to point out, although somewhat obliquely, that

the early foundations of British nationhood included, besides a respect for its institutions, an awareness of the country's distinctive geography. How could that have been otherwise?

Now there is a collective concern that what remains of our pre-1939 natural heritage is inadequately valued and conserved. Why does government not recognise, therefore, that this is a signal and a fundamental starting point for a renewal of the nation's health?

The most sophisticated fiscal and monetary policies will be of little use if we allow the natural world to accelerate in its downward spiral until it becomes inimical to life itself. Questions about morality, quality of life and finance would then become academic and irrelevant. It is to be hoped that governments would then be accountable elsewhere for their indifference.

Yours sincerely,
PAULINE M. ATKINS,
Golbrock, Brough Sowerby,
Kirkby Stephen, Cumbria.
January 24.

From Lady Maude of Stratford-upon-Avon
Sir,

God gave all men all earth to love. But, since man's heart is small, Orders for each one spot shall prove beloved over all.

So wrote Kipling, that wise prophet, in 1902. In 1994 we seem to have forgotten such ideas: we have ignored the ties of locality, we are in real danger of becoming a nation of isolated, anonymous "consumer units" — without affections, without loyalties, without a sense of belonging to anything larger than our own immediate families — and often enough, apparently, precious little regard for them!

Michael Portillo's speech, which voiced so well the disquiet many ordinary people have felt over the last 20 to 30 years, has brought things into

the open, and your piece on Enfield Southgate (article, January 24), Mr Portillo's constituency, illustrates and encapsulates just what has gone wrong. What is to be done?

One thing can be done — and now. The Government can use the local government review to retain, instead of destroying, our ancient shire counties, which still, in spite of every discouragement, keep a firm hold on the affections of their people. In conjunction with this it can restore to our market towns (the ex-boroughs and urban district councils) some at least of the powers of self-government of which they were so insultingly deprived in the "reforms" of 1974.

Burke in his wisdom, as your leader points out, knew that the strength of a nation is based on its "little platoons". This strength has been seriously weakened by a combination of physical, social and political factors.

Yours faithfully,
BARBARA MAUDE,
Old Farms, South Newington,
Nr Banbury, Oxfordshire.
January 24.

From Mr John White
Sir, If you have to ask the cost of caring for you cannot afford it. If you have to question the meaning of "back to basics" no amount of explanation will help you.

It does not follow that everyone need respond in the same way. Mr Justice Ward (letter, January 25) so rightly identifies Mr Brian Johnson, Sir Man Busby and Mr Brian Redhead as representative of the essential national character.

They would not necessarily have agreed about everything but they would have understood one another's "basics".

Yours etc,
JOHN WHITE,
Highfield, 14 Lancaster Avenue,
Hadley Wood, Hertfordshire.
January 25.

Horror of Balham bombing recalled

From Mr E. L. Williams

Sir, The once censored photograph of the bus which fell into a bomb crater in Balham in October 1940 ("Snapshots of the 20th century", *Arts*, January 25) brings back powerful memories to me. I was a young junior station inspector in the Metropolitan Police, stationed in Balham at the time.

It was one of the worst incidents of the London blitz. The bomb which had fallen on Balham High Street was a relatively small one, so that the bus was able to stop at the edge of the crater and the passengers and crew could get out. However, the explosion burst the water mains and main sewer, and the flow of water washed away the earth under the roadway. The bus slowly sank into the large hole created, which is why it was so little damaged.

What the picture does not reveal was the horror below the bus. Almost directly underneath it was the platform of Balham Tube station, where hundreds of people had taken shelter. It was pitch dark, and my colleagues and I, armed only with our police torches, spent most of the night trying to find survivors. We were working and wading in sewage, with the sound of earth being swept away by the water. We found no survivors, and it was several weeks before all the bodies could be brought out.

I remember the horror of it all, knowing that with any big rush of water and earth we could be trapped. The image of the untroubled smoker, happily lighting his pipe in a Swan Vestas advertisement on the side of the bus, is indeed ironic.

Yours faithfully,
E. L. WILLIAMS
(Metropolitan Police
commander (ret'd)),
2 The Croft, Sutherland Avenue,
Bexhill-on-Sea, East Sussex.
January 25.

Right to silence

From Mr Robert Rhodes, QC

Sir, Mr Richard Brock (letter, January 24) makes our flesh creep with the prospect of unmeritorious acquittals on assault charges of thugs whose counsel suggest that their clients acted in self-defence but call no evidence to substantiate this.

My own experience over 25 years is different. If prosecution witnesses are cross-examined on the basis that the defendant was acting in lawful self-defence but they deny it and the defendant does not give evidence, there will be no evidence to raise the issue of self-defence fit for it to be left to the jury.

In those circumstances, the trial judge will point out that there is no evidence on which the jury could find that the defendant might have acted in self-defence. Accordingly, if the jury are sure that the defendant committed the assault complained of, there should be no difficulty in convicting him.

Indeed, the judge's standard direction on the defendant's failure to give evidence, approved by the Judicial Studies Board, should include the following:

The defendant does not have to give evidence. He is entitled to sit in the dock and require the prosecution to prove its case. You must not assume that he [the defendant] is guilty because he has not given evidence. The fact that he has not given evidence proves nothing, one way or the other. It does nothing to establish his guilt. On the other hand, it means that there is no evidence from the defendant to undermine, contradict, or explain the evidence put before you by the prosecution (Emphasis added).

I have never found juries to have any difficulty in following and applying such directions.

Yours faithfully,
ROBERT RHODES,
2 Crown Office Row, Temple, EC4.
January 25.

Finance Bill drafting

From Mr Francis Bennion

Sir, As a former Finance Bill draftsman I should like to contest the assertion by the President of the Institute of Chartered Accountants that the complexity of the 1994 Finance Bill is due to "poor draftsmanship" (letter, January 25).

The fact that the new self-assessment system is intended to be operated by taxpayers themselves does not mean the legislation introducing it can be drafted so as to be directly comprehensible by non-experts.

There are several reasons for this. The new law has to operate in conjunction with the existing tax law, which is highly complex. No law can be directly comprehensible by non-experts because law is and has to be an expertise. It needs to be explained to the lay person, whether by officials or professionals in private practice.

There is cause for disquiet if professionals such as chartered accountants themselves have difficulty in understanding legislation, as they often do. They would have more ground for complaint about this if they showed a greater interest in the attempts of others to help professionals to understand Parliament's necessarily complex handiwork.

Yours faithfully,
FRANCIS BENNION,
54a Nicodemou Mylona Street,
Halkoussa, Limassol, Cyprus.
January 26.

Role of United Nations in Bosnia

From Ms Mary Bodlovic

Sir, It has always been quite indefensible that the UN forces in Bosnia, of which "Britain is the political, diplomatic and military linchpin" (report, January 24), have been asked to supervise what amounts to an internment camp, without intervention.

Many thousands of civilians have now endured these conditions for 18 months incarcerated, starved and wounded simply because they are the descendants of the Muslim converts of hundreds of years ago in Bosnia.

Shameful resolutions without resolve, policies devoid of the means of execution and pusillanimous support for the brutal aggressor, Serbia, should cease.

This is not a tiny localised problem: the forces of Fascism are spreading, and the fires of aggressive nationalism are fanned by the posturing of the Western powers — particularly and most shamefully, Great Britain.

Yours etc,
MARY BODLOVIC,
63 Dovecot Lane,
Beeston, Nottingham.

Organ donation

From Mrs Elizabeth Ward

Sir, It is with regret but no surprise that I read of the death of the Labour MP James Boyce (obituary, January 27), one of over 7,000 patients living under sentence of death whilst awaiting a donor organ.

A recent annual Gallup survey undertaken by the British Kidney Patient Association showed that although 74 per cent of the adult population are willing to be donors after their death, 23 years after the introduction of the donor card only 18 per cent carry one. Sixty-two per cent of the adult population are in support of an opt-out or presumed request system, so surely the time has come for us to follow the more enlightened Western European countries which have already introduced this system of organ procurement, with marked success.

Unfortunately the Government is unwilling to introduce such legislation without the support of the medical profession, who continue to withhold their support.

As your leading article, "Donating life" (January 26), makes clear, the present system does not allow for the wishes of the donor to be paramount since doctors deem it appropriate that the grief-stricken relative should be approached at a time of maximum distress and asked to make a life-saving decision on behalf of four complete strangers. It is not surprising

that permission is often refused, regardless of the wishes of the donor.

Let us hope that the untimely death of James Boyce will spur the Government into action and persuade it to take account of the opinion of more than 60 per cent of the electorate and bring a ray of hope to those awaiting an organ transplant.

Yours truly,
ELIZABETH WARD
(Founder President),
The British Kidney
Patient Association,
Bordon, Hampshire GU35 9JZ.
January 28.

From Mr Leslie Rout

Sir, The current organ donor cards are on flimsy paper, easily lost, easily crumpled, easily ignored. The National Kidney Research Fund is now developing a plastic version of the donor card which appears to have more status and is less easily lost. As your editorial underlines, there is still a necessity for the education of relatives on the need to give consent when asked, and of doctors to feel that they have the right to take organs when a donor card is being carried. A stronger, plastic card will help in both instances.

Yours faithfully,
LESLIE ROUT,
(Director General),
National Kidney Research Fund,
3 Archers Court, Snelley Road,
Huntingdon, Cambridgeshire.

Nurse sickness rates

From Mrs Elizabeth Ager

Sir, If nurses, trained at very considerable expense, presently on the dole and keen to return to the workplace, were brought back into employment (letter from the Royal College of Nursing, January 25), this might go a considerable way to reducing sickness levels amongst their colleagues.

Working as a district nursing sister in the community, I can say that the staffing ratio of nurses to patients is such that there is no slack whatsoever: when one nurse is sick, there is no other to replace him/her.

Consequently colleagues are required to add to their already overfull

workload. They in turn become stressed and overworked and vulnerable to ill-health, and end up reporting sick, by which time the original sick nurse has returned to work and the whole scenario is repeated. A vicious circle if ever there was one.

Yours faithfully,
E. M. F. AGER,
9 Stratmore Avenue,
Kirkcubbin, Angus.
January 25.

Letters to the editor should carry a daytime telephone number. They may be sent to a fax number — 071-782 5046.

Barrault in action

From Mr Giles Barber

Sir, Your admirable obituary of Jean-Louis Barrault (January 25) brought back memories of his visit to England in 1951.

He lectured in Oxford to an audience of all ages in the dining hall of Worcester College, starting off on the dais. Soon, however, he must have felt that this was not sufficiently stage-like and leapt, shoes and all, onto the highly polished surface of the High Table. There was a universal gasp followed by an immediate renewal of rapid concentration as we all followed the mimed movements of one struggling with surrounding waves. This was acting at its most immediate and finest.

Happy are those old enough to have witnessed such a talent.

Yours faithfully,
GILES BARBER
(Librarian),
Taylor Institution Library,
University of Oxford,
St Giles, Oxford.

In for a penny...

From Mrs Elizabeth J. Hunter

Sir, My namesake, Mr D. S. Hunter (letter, January 26), may have been lucky to have his own initials included in his name when the Inland Revenue wrote to him.

When remanding my poll tax in 1991, the Royal Borough of Kensington and Chelsea addressed me as Mrs E. Hunter. It may have been an unpopular tax but wasn't that carrying indeluctable too far?

Yours faithfully,
ELIZABETH J. HUNTER,
19 Elvaston Place, SW7.

Safety first

From Ms Sable Fanshawe

Sir, Concerning the recent letters (January 24, 27, 29, 31) about warnings for electrical appliances, the instructions for my new hair dryer state: "Warning — this appliance must not be taken into a bathroom (not applicable in Australia). It should not be used near basins or other vessels containing water."

Yours faithfully,
SABLE FANSHAWE,
Flat 2, 12 Gratwicke Road,
Worthing, West Sussex.

Costing the cuts

From Dr Mark Hebden

Sir, Whilst anaesthetising a Naöonal Health Service patient who was undergoing open-heart surgery today, I became aware of a stranger, in full operating theatre dress, observing the proceedings.

In response to my enquiry as to whether he was a doctor, nurse, medical student or physiotherapist, the reply came: "Accountancy student, actually."

The way ahead?
Yours faithfully,
M. W. HEBDEN
(Consultant anaesthetist),
The Cot. Talygarn Estate,
Pontyclun, Mid Glamorgan.
January 28.

COURT CIRCULAR

SANDRINGHAM

The Queen and The Duke of Edinburgh were represented by the Lord Moore of Wolverton (Permanent Lord in Waiting) at the funeral of Sir Ashley Clarke (formerly Her Majesty's Ambassador in Rome) which was held in the Chapel Royal, Hampton Court Palace, this afternoon.

The Duke and Duchess of Gloucester were represented by Lieutenant-Colonel Sir Simon Blund.

The Duke and Duchess of Kent

were represented by Mr Nicholas Adamson.

Prince Michael of Kent was represented by Sir Peter South. THATCHED HOUSE LODGE, RICHMOND PARK.

January 31: Princess Alexandra, Patron, and the Hon Sir Angus Balfour, this evening silent film. Reception given by the Florence Nightingale Museum Trust at the National Portrait Gallery, St Martin's Place, London WC2.

The Lady Nicholas Gordon Lennox was in attendance.

Today's royal engagements

The Queen will visit RAF Marham at 11.00.

The Princess Royal will open the Child and Family Resources Centre, Adcock House, Bournemouth, at 10.30. She will open the V&A building at Customs and Excise, Queens Quay, at 11.00; and as President of The Princess Royal Trust for Carers, will open Selton Carr, Centre, Cavendish House, Brighton Road, Waterloo, Liverpool, at 1.30. She will open the new accident and emergency department at the Fitzwilliam Hospital, at 2.40; and as Chancellor of London University, will attend a reception at Communicable Disease House, at 4.00, to launch the joint venture of the School of Slavonic and East European Studies.

The Duke of Kent, as Vice-Chairman of the British Overseas Trade Board, will visit Park Royal Electronics, Northfields, Market Deeping, Lincolnshire, at 11.00; will visit Willet International at Cronin Road, Widdow South, Kent, at 12.45; will visit Inverell, Brunel Road, Eastgate Industrial Estate, Corby, at 2.30.

The Duchess of Kent will attend a performance of Handel's Messiah in Westminster Abbey at 7.10 in aid of the National Children's Homes Action for Children.

Princess Alexandra will open the refurbished Edmond House of the Middlesex Province Retirement Homes at Priory Close, Common Road, Stanmore, at 2.30.

Anniversaries

BIRTHS: Sir Edward Coke, jurist and politician, Mileham, Norfolk, 1552. John Philip Kemble, actor-manager, Prescott, Lancashire, 1757. Emile Littre, lexicographer, Paris, 1801. Dame Clara Butt, contralto, Southwick, Sussex, 1873. Hugo von Hofmannsthal, poet and dramatist, Vienna, 1874. Louis St Laurent, Prime Minister of Canada 1948-57, Compton, Quebec, 1882. John Ford, film director, Cape Elizabeth, Maine, 1895. Stephen Pinner, humorist, 1900. Clark Gable, actor, Cadiz, Ohio, 1901. S.J. Perelman, humorist, Brooklyn, 1904.

DEATHS: René Descartes, philosopher, Stockholm, 1650. Mary Wolstonecraft Shelley, novelist, London, 1811. Matthew Maury, hydrographer, Lexington, Virginia, 1873. George Cruikshank, caricaturist, London, 1878. Piet Mondrian, painter, New York, 1946. Buster Keaton, silent film comedian, Woodland Hills, California, 1966.

The US Supreme Court met for the first time, 1790.

The first volume of the Oxford English Dictionary was published, 1884.

The first British Labour Exchange opened, 1910.

The Pompidou Centre in Paris, designed by Richard Rogers and Renzo Piano, was opened, 1977.

Luncheons

Royal Over-Sea League
Lord Brabourne and Countess Mountbatten of Burma were the guests of honour at a luncheon given by Mr Peter McIntee, chairman, and members of the central council of the Royal Over-Sea League at Over-Sea, St James's, yesterday.

Inter-Parliamentary Union
Mr John Ward, MP, Chairman of the British group of the Inter-Parliamentary Union, was host at a luncheon held yesterday at the

RS Hispaniola in honour of a parliamentary delegation from Italy led by Signor Giorgio Napolitano, Speaker of the Chamber of Deputies.

Reception
Bishop International Limited, Mr Bob Bishop, Chairman of Bishop International Limited, received 250 guests at a reception held on Thursday at the Guildhall to mark its fifteen years in business.



Berwyn Evans, left, and Glyn Hughes by the river at Pentrefoelas, the hamlet they have brought back to life

Revived village wins planning award

By NICK NUTTALL
ENVIRONMENT CORRESPONDENT

AN AMBITIOUS project that has brought a dying Welsh village back to economic and cultural health yesterday won Britain's leading award for planning excellence.

The Pentrefoelas enhancement project beat schemes across the country, including one to regenerate London's Royal Docks area and another to develop Peterborough's southern township, to win the Royal Town Planning Institute's silver jubilee cup for planning achievements.

By the early 1980s Pentrefoelas in

Clywd had become a neglected hamlet of dilapidated buildings and high unemployment. The village mirrored scores of rural communities across the principality. Agriculture which in 1857 supported 37 craftsmen including a saddler, smith, tanner, watchmaker, vet and cobbler, had collapsed. Young people were leaving for the cities of England and South Wales.

Councillor Glyn Hughes, of Clywd County Council, who is passionately involved in the restoration, said: "It had been a slow decline over the century which people felt helpless to stop."

Aware that urgent action was needed the county council, backed by Conway

Council and the Welsh Development Agency, drafted a rescue plan in the mid-1980s to restore the old buildings as business units and the rotting watermill by the River Merdwr to grinding flour.

The scheme, which also includes a heritage trail for tourists, has generated a string of small businesses. They include a bakery, a photographic agency and a soft furnishings firm.

The watermill is profitable and busy milling flour for bakers in North Wales. Employment opportunities have increased from 15 in 1987 to more than 50.

Berwyn Evans, project director, said yesterday: "What we have created here are real jobs that have a genuine future."

Birthdays today

Mrs Jennifer Adams, park manager, Central Royal Parks, 46; Miss Kate Ashbrook, general secretary, Open Spaces Society, 39; Dr C.A. Barnett, headmaster, Whitgift School, Croydon, 41; Sir Kenneth Bond, former vice-chairman, GEC, 74; Major H. Stanley Ceyzer, 84; Mrs Ruth Clark, former Moderator of the General Assembly of the United Reformed Church, 59; Sir Peter Crill, Bailiff of Jersey, 69; Mrs Joceline Oimbley, cookery writer, 51; Professor Sir Sam Edwards, physicist, 66; the Very Rev Dr Eric Evans, Dean of St Paul's, 66; Mr Don Giverty, singer, 57; Sir Douglas Hall, former governor, Somerset Probation, 88; Sir Gordon Hobday, former Lord Lieutenant of Nottinghamshire, 78; Mr Adam Ingram, MP, 47; Professor Douglas Johnson, historian, 69; Sir Maurice Laing, life president, John Laing, 76; Mrs Virginia Leng, three-day eventer, 39; Sir Stanley Matthews, footballer, 70; Lord Mountevans, 51; Sir John Nott, former MP, 62; Professor Sir Mark Richmond, chairman, Science and Engineering Research Council, 67; Mr Peter Sallis, actor, 73; Mr Andrew Smith, MP, 43; Dame Muriel Spark, writer, 76; Sir Peter Tappin, MP, 64; Miss Renata Telsdill, soprano, 72; Mr Boris Yeltsin, President of the Russian Federation, 63.

Forthcoming marriages

Mr J.N.C. Budden and Miss F.M.C. Halpin
The engagement is announced between James, son of Mr and Mrs John Budden, of Newbiggin, Cumbria, and Fiona, daughter of Mr and Mrs Cecil Halpin, of London, W5.

Mr D.G. Corry and Dr M.C.M. Bickerstaff
The engagement is announced between Donald, only son of Mr and Mrs M.G. Corry, of Hornchurch, Essex, and Maria, daughter of Mr and Mrs K.J. Bickerstaff, of Newport, Gwent.

Mr T.G. Hamilton and Miss S.F. Hutton
The engagement is announced between Tom, younger son of Dr and Mrs Guy Hamilton, of Ingworth, Norfolk, and Sarah, younger daughter of Mr and Mrs Jeremy Hutton, of High Easter, Essex.

Mr M.C. Lathier and Miss L. Makris
The engagement is announced between Mark, elder son of Mr and Mrs D.C. Lathier, of Kingswood, Surrey, and Leah, elder daughter of Mr and Mrs P.H. Makris, of Barry, South Glamorgan.

Mr E.C.P. Mackenzie and Miss N.C. Harley
The engagement is announced between Edward, younger son of Brigadier and Mrs W.A. Mackenzie, of Cowes, and Nicola, eldest daughter of Mr and Mrs Hartley, of Somerset, Bermuda, and Mrs Rachael Tait, of St Peter, Jersey.

Mr J.A. Ryan and Miss A.J.H. Adams
The engagement is announced between John, son of the late Mr Frank Ryan and of Mrs Joan Ryan, of Sydney, Australia, and Antonia, daughter of Mr and Mrs Michael Adams, of Leamfield, Oxfordshire.

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TRADE: 071 481 1982
PRIVATE: 071 481 4000

PERSONAL COLUMN

FAX: 071 481 9313
FAX: 071 782 7828

Everyone will have you for your elegance and to whoever endures to the end will be saved.
St. Matthew 10:22 (R23)

BIRTHS

AKERMAN - On January 28, 1994, a daughter, Valentine Constance.

ABRUTYNOWICZ - On Sunday 23rd January, to Lindsay (nee Sillars) and Charles, a son, Patrick Charles Laurence, brother for Molly and Nicola.

BARBER - On 21st January, to Carol (nee Fairclough) and David, a son, Edward Frederick Hilary, a brother for Olivia.

BEST - On January 26th, to Kate (nee Nelson) and Tony, a daughter, Abigail Rose.

CHIFFIN - On 24th January, to Lucy (nee Sillars) and Jonathan, a son, Augustus.

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OBITUARIES

PIERRE BOULLE

Pierre Boulle, French novelist, died in Paris on January 30 aged 81. He was born in Avignon on February 20, 1912.

ALTHOUGH he was the author of many skilfully wrought novels set in a wide range of milieus, the output of Pierre Boulle is overwhelmingly known throughout the Anglophone world from the two films *The Bridge on the River Kwai* and *Planet of the Apes* which derive from his books. Boulle told a story well (in both cases his novels were superior to the films they spawned) and he was interested in character.

If he had a defect it was that he was a writer in the tradition of the French novelist of ideas, and there was a tendency for his characters to become vehicles for those ideas. But nothing he did ever fell below the level of highly intelligent entertainment.

Pierre Boulle was the son of an Avignon lawyer. Educated at the lycée in his native city, he read a degree in the science faculty of the Sorbonne before training as an electrical engineer.

In 1936 he went out to Malaya where he worked on the technical side in British rubber plantations. When war broke out in 1939 he went to Indochina and enlisted in the French army there.

But after the fall of France and the adherence of French Indochina to the Vichy regime, he made his way to

Singapore, where he joined the Free French forces. He was trained in espionage with the idea of going back and conducting sabotage missions in Indochina. For some months after the completion of his training he tried fruitlessly to infiltrate the country.

Eventually in 1942, he took a flimsy bamboo raft down the torrential waters of the Nam-Na river and thus entered Indochina, which was, by then, under "protective" occupation by the Japanese. But he was almost immediately captured and sentenced to forced labour. In 1944, however, he managed to escape and made his way to India. There he spent the rest of the war with Special Forces in Calcutta.

After the war he went back to Malaya but found that his enthusiasm for the rubber industry had diminished. In 1948 he decided to make writing his life and returned to Paris in order to make his dream a reality.

His first book *William Conrad* (1950) is regarded by many as being his best. An ingenious and exciting spy story set in wartime England, it must be one of the most subtle studies by a Frenchman of the essentially ironic nature of the British psyche. Boulle's prewar experience of the national character, in British Malaya, had, at least, not soured him against it.

Boulle's next novel was *Le Pont de la Rivière Kwai* (1952), an intriguing tale of misplaced honour, in which a British colonel develops an obsession



with building a bridge although he knows it will be of military value to his and his men's Japanese captors. In 1953 it won the Prix Saint-Beuve. When it appeared in England as *The Bridge on the River Kwai* in 1954 its international reputation was assured. Its translation to celluloid, with Alec Guinness memorably playing the stubborn Colonel Nicholson, could not be long delayed. When the film, directed by David Lean, appeared in 1957, it won a host of Academy Awards. (At that time Boulle was wrongly accredi-

ed with the script; it is now acknowledged that this was the work of two black-listed American writers and directors, Carl Foreman and Michael Wilson, to whom Britain had given a place in which to work.)

Malaya was the setting for further novels from Boulle. *L'Épreuve des hommes blancs* (1955) was a thought-provoking story about a French girl who, having become the child bride of a Malayan fisherman during the war, is afterwards thrust back into the rigours of the French educational system. One of Boulle's few novels to be set in France was *La Face* (1953) which explores the reasons why a public prosecutor should pursue the death penalty for a man whom he knows has been wrongly accused.

La Planète des Singes (1961) provided Boulle with his next big hit. A Swiftian fable in which human beings, like the Yahoos of Gulliver's travels, have become debased and subservient to animals (in this case apes, and not, as in Swift, horses) it, too, made a highly successful film, *Planet of the Apes* (1968).

Much of Boulle's work was excellent, translated into English by Ian Fielding, like himself a thinker, man of action and resistance fighter.

Besides his literary awards, Boulle was a chevalier of the Legion d'Honneur and held the Croix de Guerre and the Médaille de la Résistance. He was a bachelor.

THE MARQUESS OF NORMANBY

The Marquess of Normanby, K.G. C.B.E., landowner, died on January 30 aged 81. He was born on July 29, 1912.

OSWALD PHIPPS, 4th Marquess of Normanby, was a considerable landowner in Yorkshire and a long-serving Lord Lieutenant of the North Riding (and then North Yorkshire). The Phipps family originally came from Nottingham, but have been in Yorkshire since the 18th century.

One ancestor, William Phipps, married the Countess of Darley, natural daughter of James II by Catherine Sedley. The 1st Earl of Mulgrave was a general, who became Secretary of State for Foreign Affairs in 1805. His son was a distinguished statesman, diplomat and politician who was created Marquess of Normanby in 1838. He was also Lord Lieutenant of Ireland. The 2nd Marquess was Governor of New Zealand while the 3rd Marquess was a man of the cloth. He was a canon of St George's Chapel, Windsor, from 1891 to 1907.

Oswald Constantine John Phipps was educated at Eton and Christ Church, Oxford. He succeeded his father in 1952, a month after his 30th birthday. During the Second World War he served in The Green Howards, was wounded and taken prisoner. In 1943 he was awarded the MBE (military division).

On repatriation, he entered the world of politics, serving as parliamentary private secretary to the Secretary of State for the Dominions (Lord Cranborne, later the 5th Marquess of Salisbury) and, briefly, to the Lord President of the Council (Clement Attlee).

He was appointed a lord-in-waiting (or government whip) in the House of Lords in May 1945, but two months later the Conservative "caretaker" administration was replaced by a Labour Government as a result of the July 1945 general election and the Marquess's

brief political career was over. Thereafter he held numerous positions in the county of Yorkshire. He was a member of the Council of St John, and later chairman and then president. He was a JP from 1937, became a deputy lieutenant in 1960 and served as Lord Lieutenant from 1965 until his retirement in 1987. He held various Territorial Army appointments, was honorary Colonel Commandant of The Green Howards from 1970 to 1982 and High Steward of York Minster from 1980.

Outside Yorkshire he was president of the National Library for the Blind from 1946, and a vice-president of St Dunstan's. He was also chairman of the National Art Collections Fund from 1981 to 1986. In 1988 the Queen appointed him a Knight of the Garter and he was installed, with Lord Carrington, thus being entitled to hang his banner in the same royal chapel where his father had served as a canon at the turn of the century. In 1988 he suffered a stroke from which

he made a good recovery. He continued to attend the annual Garter ceremony, though confined to a wheelchair in later years.

Lord Normanby lived for some years at Mulgrave Castle, Whithy, where he owned considerable land, but had later moved to Lythe Hall in the same area. He also had property in the West Indies. When in London he lived at Argyl House in the King's Road, once the home of Lady Colefax and the scene of much entertaining in the days of Edward VIII and "Chips" Channon.

In 1951 he married the heiress Grania Guinness, daughter of 1st Lord Moyne (who was assassinated in Cairo in 1944, when Minister Resident in the Middle East). She survives him together with their two sons and five daughters.

Lord Normanby is succeeded as the 5th Marquess by his son Constantine (Earl of Mulgrave) who writes novels under the name of Constantine Phipps.



SIR BRIAN KELLETT

Sir Brian Kellett, chairman of Unigate and former chairman of TI Group and the Port of London Authority, died on January 30 aged 78. He was born on May 8, 1922.

BRIAN KELLETT brought a brilliant mathematician's mind to bear upon some of Britain's most intractable economic and social problems. His intellectual capacity was displayed first as an industrialist and then as a member of the Royal Commission on Standards of Conduct in Public Life.

At least as a tycoon, his analytical approach was to prove both a help and a hindrance. Although he considerably reshaped TI Group, the Port of London Authority and Unigate, he was unable to overcome some of the biggest strategic problems he faced.

He presided over Tube Investments, now TI Group,

during one of the most difficult periods of industrial upheaval. He was appointed in 1976, at the height of the Labour Government's worst economic crisis, and retired in 1984 just as Margaret Thatcher's tough economic squeeze was beginning to bear fruit. Six months later the then Secretary of State for Transport, the late Nicholas Ridley, asked him to be chairman of the Port of London Authority and he ran into the minefield of the National Dock Labour Scheme.

One upshot of that was the 1989 national docks strike, which led to the longest-running industrial tribunal over the dismissal of 19 Tisbury dockers. The tribunal, which cost millions of pounds in lawyers' fees, decided that the men had been dismissed unfairly.

Brian Smith Kellett was born in Romley, Cheshire, the son of a school maths teacher who died when Kellett was in his teens. He won scholar-

ships to Manchester Grammar School and Trinity College, Cambridge, where, taking the Mathematical Tripos, he became a wrangler. He graduated in 1942 and joined the Admiralty as an experimental officer. There he became involved in the work to develop radar.

After the war Kellett continued in the Civil Service as an assistant principal at the Ministry of Transport — something he later described as a false move. He soon transferred to industry, joining the Pilkington glassmaking business in 1949. But after six years he moved to Tube Investments, where he remained until 1984. He became a director in 1965 and chief executive in 1974.

Kellett, who was knighted in 1979, attempted to deal with the twin problems of an overvalued currency and labour difficulties by moving the company out of its joint-venture commodity businesses with British Steel, British Aluminium and General Electric of the United States.

These deals preserved cash at a time when major businesses were going to the wall. They were essential defensive steps which laid the foundation for the present management to transform the group into one of the country's leading specialist engineers.

The P.L.A. too, was subjected to drastic surgery. When he joined the operation had three quite different activities: cargo-handling at Tisbury, a regulatory role and a property portfolio. Kellett turned these activities into three separate divisions, each with its own chief executive.

It was a measure of his reputation and energy that, at the age of 69 and while still at the P.L.A., he accepted in 1991 the chairmanship of Unigate, the troubled food and dairy group where he had been a director since 1974. In his last three years he worked closely with Unigate's chief executive, Ross Buckland, to reshape the company. Car dealerships and feed milling were sold and the main businesses strengthened with acquisitions.

But he was ever a narrowly focused businessman. He took a full part in industry's contribution to academic life through his governorships of the London Business School and Imperial College, London. He was also a vice-president of the Engineering Employers' Federation and a member of the council of the Industrial Society. He was a keen churchgoer and enjoyed gardening.

He is survived by his wife Janet and three daughters.

TONY WADDINGTON

Tony Waddington, manager of Stoke City football club, 1960-77, died on January 29 in Crewe, Cheshire, aged 69. He was born on November 9, 1924.

MANAGERS are usually judged by the number of trophies their teams win. By those standards, Tony Waddington fell some way short of greatness, with only the Second Division championship in 1962-63 and the Football League Cup success in 1971-72 to his name in 17 years. But his longevity in a notoriously insecure post testifies there are other criteria, too. At the height of his career he was offered the job at Manchester United as successor to Matt Busby and subsequently as successor to Brian Clough at Leeds. Perhaps mistakenly he turned them both down, the former only after much thought. Waddington will always be remembered in the Potteries and beyond for the style of his teams, and above all for taking Stanley Matthews back to Stoke for a glorious Indian Summer which reversed a moribund club.

The success of Matthews' return at 46, way past retirement age for most players, was the making of Waddington as a manager, and he was to follow that example with several others among his signings enjoying a final flourish under Waddington's management. "I don't buy old players," he once said, in extension, "I buy thoroughbreds."

Waddington was born and grew up in Manchester, and he began his football career as an amateur with Manchester United while serving in the navy as an electrician during

the war. After he joined Crewe Alexandra, playing 179 League games for them in the Third Division North before joining Stoke as trainer.

He was appointed manager in 1960 at a club with debts of £100,000 and a struggling team. A series of judicious transfers quickly strengthened the team and earned Waddington his reputation as a skilful operator in the transfer market. The signing of Stanley Matthews for £3,500 from Blackpool proved a master-

The financial restrictions at Stoke meant that his thoroughbreds tended to be in their declining years, but when Stoke's most successful period at the beginning of the 1970s enabled Waddington to spend more freely, he enjoyed the opportunities that offered. Goalkeepers were often cheaper than their colleagues, and he bought both Gordon Banks and then Peter Shilton, the country's two outstanding goalkeepers for the club. But equally significant was the arrival of George Eastham, who played an important part along with Banks as Stoke won the League Cup in 1972, their only major trophy.

That began perhaps the team's most fruitful period, Jimmy Greenhoff and Alan Hudson, two of Waddington's younger signings, adorning a side noted for its flowing football. Hudson was almost the archetypal Waddington player, a player of great gifts, with a taste for style on the field and a taste for enjoying life off it, and the team of the mid-1970s was perhaps the finest of Waddington's era.

But as the game's finances gave power increasingly to the big city clubs, the club began to struggle, and Waddington became increasingly frustrated at the need to sell players to survive. In 1977 he walked away as the club plunged towards relegation. He was to have a brief spell at Crewe, where he attempted to repeat a veterans' team similar to his early days at Stoke. Indeed, Hudson followed his mentor from Stoke. But the aim was too ambitious for Crewe and the world had changed. Waddington however never lost his taste for style, nor for parties.

He leaves his widow, Margaret, three sons and two daughters.



stroke. The crowds, which had fallen to around 8,000 leap to 35,000 as the return of the local hero electrified the community, and in his first full season Stoke won back their place in the first division.

Matthews had good company, Stoke in that era almost resembling a veterans' All Star team, as other great names including Jackie Mudie, Jimmy McIlroy, Roy Vernon, Dennis Viollet, and Peter Dobson came to supply the style Waddington loved.

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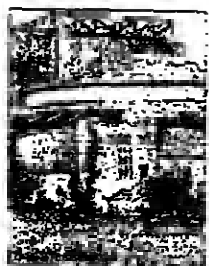
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THE TIMES

TUESDAY FEBRUARY 1 1994

Small-car technology will give German group edge over Mercedes and Audi

BMW pledges cash for Rover

BY PHILIP BASSETT
AND ROSS TIEMAN

BMW said yesterday it planned to increase sharply investment in Rover after BAE announced the sale of the UK volume car company for £800 million.

Bernard Pischetsrieder, BMW chairman, said Rover's existing UK plants — Longbridge in Birmingham and Cowley at Oxford — would remain open, and that providing new markets and new sales could be found, jobs would be maintained for Rover's 30,000-strong workforce.

Herr Pischetsrieder said: "There will be a lot of money to be invested in products and plants in the UK." He forecast a new investment level similar to the DM2 billion BMW annually spends in its German plants.

While he would not commit himself in detail on maintaining Rover's current model



■ BMW pledged substantial new investment and independence for Rover

partner with Honda, the Japanese carmaker which owns the remaining 20 per cent of Rover. BMW will also acquire a 20 per cent stake in Honda UK Manufacturing, the Japanese company's UK assembly operation, which makes Honda Accord cars at Swindon, Wiltshire, and which last year supplied Rover with 67,200 engines for its cars.

Honda and Rover have been collaborating for 15 years, and the Rover 200, 400, 600 and 800 models all share common floor pans with Honda vehicles.

Under an agreement that expires in December, Rover builds the Honda Concerto for sale in Europe, producing some 20,000 cars last year in addition to the 442,000 vehicles sold under its own marques.

Rover has retained the capability to design its own vehicles, however. The Land Rover Discovery and the Rover K-series engine, both designed without Honda assistance, are highly successful, contributing to Rover's success in expanding sales in Europe last year despite a market slump.

Despite annual sales of £4.3 billion, Rover recorded a loss before tax last year of £9 million after interest charges of £65 million. But company has assets of £1.4 billion. The Land Rover operation is already profitable, however, and will become more so with the launch of the Discovery model in America.

Sale helps push shares to record

The London stock market soared to its highest ever level cheered by strong overseas markets and the Rover sale. The FT-SE 100 index rose 44.4 points to close at 3,491.8.

Stock market, page 26

range, he identified Land Rover and the Mini as the parts of the business with most short-term financial potential. He also raised the possibility of BMW reintroducing a number of famous old British marques, including Riley and Austin Healey.

But BMW insisted that the two car companies would keep their independence and separate branding. Though distribution and some parts are likely to be shared, BMW said two dealer networks would be maintained in the UK.

Under the terms of the proposed deal, which still has to be approved by BAE shareholders, BMW is to pay BAE £800 million in cash for Rover Group Holdings, comprising the entire automotive interest of the British plane maker.

The deal will give BMW an 80 per cent stake in Rover Group, which includes the Land Rover plant at Solihull, West Midlands. If it is approved by shareholders, BMW will become a *de facto*

Honda sharply criticised British Aerospace for selling Rover to BMW. The attack is likely to preface an eventual severing of relations between Honda and the German company.

Honda said last night that it believed it had reached a deal with BAE to increase its equity stake in Rover from 20 to 47.5 per cent. Following the announcement of the BMW deal, the future of Honda's collaboration with Rover would depend on "subsequent business

discussions". Honda heard of the proposed BMW deal, and was asked to match or better it, as recently as Friday, despite having had successful links with Rover since 1970.

Nobuhiko Kawamori, Honda Motor's president, said: "The decision of BAE to sell its Rover shares to BMW negates Honda and Rover's long-term efforts to establish a firm future for Rover as a British company with its own brand identity." Honda released the news of BAE's proposed deal



Dick Evans, left, BAE chief executive, and Bernd Pischetsrieder announcing yesterday's sale

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Graham Mather, page 18
Leadlog article, page 19
Pennington, page 25
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Leaving BAE, page 27

Angry Honda likely to sell out

BY PHILIP BASSETT, INDUSTRIAL EDITOR

with BMW in Japan, hours before it was announced in Europe. Shojiro Niyake, the president of Honda Motor Europe, said: "Until we heard the news about the BMW offer, we had thought that we had an agreement due to be signed very shortly with BAE for increasing our equity stake with Rover."

Japanese companies operating in Britain usually refrain from public criticism of UK firms. Honda is angry not just because of its stake in Rover

but because, as part of the 1990 deal in which it took the stake, Rover took 20 per cent of Honda's UK manufacturing plant at Swindon, Wiltshire. Honda is concerned that, in effect, BMW holds that stake, giving the German company access to its designs.

BAE and Rover denied that they had treated Honda badly, although George Simpson, Rover's chairman, acknowledged that Honda was "clearly not very happy" with the agreement.

MGN pensioners agree £32m settlement

MIRROR Group Newspapers pensioners have agreed to accept a £32 million out-of-court settlement from three City firms instead of the £200 million they had hoped to win.

Invesco MIM and Capel-Cure Myers, the fund managers, and Lehman Brothers, the US investment bank, have handed the money over.

Invesco's £11 million payment will be an exceptional item in its 1993 accounts. The other two defendants would not disclose their share of payment. All three denied liability.

The trustees' settlement from the

three relates to assets worth £50 million. The claim was inflated to £200 million by a "whistle blowing" claim under which the trustees alleged that the three institutions should have been aware of Robert Maxwell's activities when dealing with business funds while his companies' pension funds were being plundered.

Colin Cornwall, chairman of the Mirror pension trustees, said that he was not disappointed with the size of the settlement. Pensioners had recovered two thirds of the value of the assets. "It gives us some immediate recoveries," he said. "It frees us to

work even harder on the other possible claims we will have."

Invesco and Capel-Cure had managed part of the scheme's assets before Mr Maxwell's death and Lehman had received assets as security for stocklending with his companies.


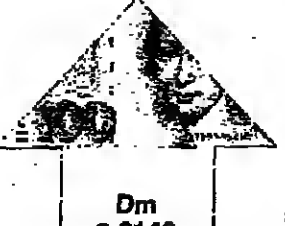
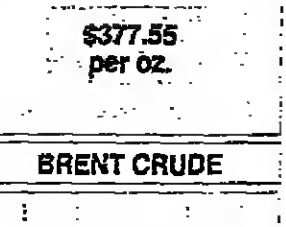
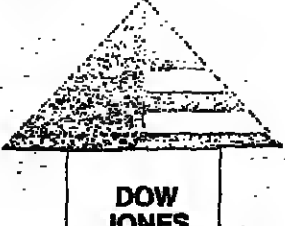
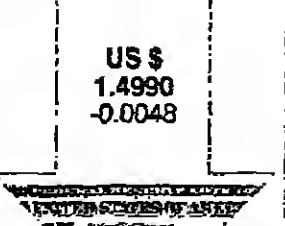
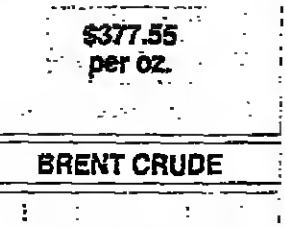
In the High Court yesterday, Mr Justice Rafter, was told that Mirror pensioners had settled a dispute with liquidators of Bishopsgate Investment Management, trustee of the common investment fund that managed pension assets for companies controlled by Mr Maxwell. The two sides had been in dispute over which scheme

owned assets worth £16 million. They agreed that £8 million of them should be released to Mirror pensioners.

Norman Riddell, Invesco's European chief executive, said: "We were prepared and ready to defend ourselves in court against these claims. However, we have always been conscious of the damaging effect a protracted trial and diversion of management effort could have."

The trustees are suing Credit Suisse for more than £40 million.

Payout hope, page 24
Tempus, page 27

STOCK MARKET		THE POUND		GOLD	
	FT-SE 100 3491.8 +44.4		Dm 2.6146 +0.0153		US \$ 1.4990 -0.0048
	DOW JONES 3973.29 +27.86				\$377.55 per oz.
Midday trading figure				BRENT CRUDE	
				\$14.10 per barrel (Mar)	

LONDON CLOSING PRICES

MARKETS IN DETAIL PAGE 26, SHARE PRICES PAGE 28

One week to sell an industry

BY OUR INDUSTRIAL EDITOR

THE sale of Britain's last car company came about with great speed — started and sealed in a week.

BAE started some months ago to examine the options that would allow it concentrate on its core business of aerospace and defence electronics, to get rid of Rover in other words.

BAE started talks with Honda whose partnership with Rover since 1979 has been a vital factor in turning round the British car company from the shambles it had to the successful enterprise sold yesterday.

Honda, convinced of the need to keep Rover independent, would not buy all of Rover, but offered instead to increase its equity stake to 47.5 per cent. Honda said it had agreed such a deal with Rover on January 21.

BMW's interest came with extraordinary speed. BMW managers had been privately considering acquiring Rover as far back as last autumn, and on January 19, the company held an extraordinary board meeting and agreed to buy Rover if it could.

BMW made the first approach to BAE three days later, the day after Honda claims to have reached its own deal with Rover. BMW formally put its offer to Rover last Wednesday. Honda was not prepared to match or beat BMW's £800 million bid. Honda claimed that they knew nothing of the BMW deal until Friday. BAE said Honda had known of the deal for a long time.

The deal was finally done on Saturday, with the dozen or so people in BAE in the know required to sign letters committing themselves to secrecy — on pain of criminal charges — in advance of yesterday's announcement.

BUSINESS EDITOR
Robert Ballantyne

BUSINESS TODAY

POST HASTE

The Post Office urges the Government to privatise it quickly, if it wants to join the private sector, to free it from constraints
Page 24

PLANT WILTS

Christian Salvesen the distribution and plant hire group, says profits will be lower than expected
Page 25, Tempus 27

FAIR SHARES

A political reform package has sent share prices in Tokyo soaring as the dollar gains against the yen
Page 26

HOME SERVICE

National Home Loans is poised to re-enter the residential lending market after an absence of three years
Page 24

WITH OUR NEW MORTGAGE, YOU CAN ENJOY THE BENEFITS OF A 6.95% FIXED RATE UNTIL THE 21st CENTURY

At John Charcol, we're starting the New Year with an exceptional mortgage. fixed at a rate of just 6.95% (7.3% APR) right through until the year 2000. It's available for purchases and for remortgages; it's fully portable so you can take it with you if you move during the period; and best of all, you can borrow up to 90% of your property's value. Funds are inevitably limited, so it is important that you register your interest without delay. For written details, call John Charcol on (071) 611 7000 or Leeds 10532/470 338 — or drop in and see us at 10-12 Great Queen St. London WC2B 5DD.

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YOUR HOME IS YOUR MOST IMPORTANT ASSET. DON'T KEEP IT FROM IMPROVING. ALLOCATE YOUR MORTGAGE TO THE BEST INVESTMENT AVAILABLE.

Post Office urges quick decision on its future

By Philip Bassett
INDUSTRIAL EDITOR

THE Post Office urged the Government to privatise it quickly, if the intention was to move it into the private sector. The statement was in line with the corporation's wish for its future to be resolved as swiftly as possible, but was further bolstered by the idea of speedy privatisation as a way of obtaining the freedom from government financial restrictions it seeks.

Following the review of the corporation carried out by the Department of Trade and Industry, which was

first announced more than 18 months ago, senior Post Office managers will today urge the Government to end uncertainty and give the corporation new commercial freedom in the face of increasing competition.

Though the review is understood to have favoured privatising the Post Office, ministers are believed to have reluctantly concluded that, at a time when the Government is in considerable difficulty, privatisation would be politically impossible.

MPs will today question Michael Heseltine, President of the Board of Trade, on the Post Office's future when he and the corporation appear

separately before the Commons all-party trade and industry select committee. Mr Heseltine is expected to tell the committee that the review will be completed soon — and that the Government is concerned to find the right solution for the Post Office, rather than a quick solution.

In advance of the committee hearings, Bill Cockburn, the Post Office's chief executive, said the ownership of the corporation was a matter for the Government, but he urged ministers to act quickly. "If [privatisation] is a means by which the Government decided that we get freedom, then let's have it fast," Michael Heron, the

Post Office's chairman, said that government financial restrictions could lead to higher prices, lower quality and job losses, as foreign competitors poached Royal Mail customers.

Noting that foreign competitors were "wooing" British customers with services the Royal Mail was forbidden to offer, he called on the Government to remove its controls. "It is time for... an end to the uncertainty which is threatening one of the UK's greatest national assets."

Robin Cook, shadow industry secretary, will today attack the cost of the Government's review. He will

say the review is costing about a sixth of the Government's entire annual expenditure on consultants. Alan Johnson, general secretary of the UCU communications union, said: "The cost of the review is a scandal. It has already taken a year and a half to come to a conclusion whilst everyone except a handful of ministers know only too well what that conclusion should be."

Sub-postmasters accused the Government of endangering the Post Office's survival. The National Federation of Sub-Postmasters said the Government had left the industry "in a state of turmoil and despair".

BUSINESS ROUNDUP

Shake-out charges take their toll of Xerox

XEROX Corp has reported a fourth-quarter loss of \$577 million, largely because of special charges to cover the cost of a previously announced plan to eliminate 10,000 jobs. The loss amounted to \$5.63 a share and compared with a loss of \$736 million, or \$7.80 per share, during the fourth quarter of 1992. In the fourth quarter, the company took special charges totalling \$813 million after taxes to cover the costs of restructuring its document-processing business. Under that restructuring, announced in December, Xerox said that it would cut more than 10,000 jobs by early 1996, and eliminate half of those positions this year.

Yesterday, the company said that it had cut 2,300 jobs in 1993, including 500 in the fourth quarter. For the year as a whole, the company lost \$126 million, or \$1.84 per share, an improvement over the 1992 loss of \$1 billion, or \$11.29 per share. The worldwide restructuring will result in estimated pre-tax cost reductions of \$350 million in 1994, \$700 million in 1995 and more in subsequent years.

Bimec still in red

BIMEC Industries, still nursing losses, says recovery will be long and difficult, and continued support by its bankers is essential. The water and waste treatment group, in an interim report for the six months to September 30, says it hopes by March 31 to have streamlined itself into three operations. The interim pre-tax loss, at £1.23 million, compares with a loss of £5.28 million last time and with one of £16.4 million for the year to last March. The £769,000 interim interest charge will fall, Bimec says. On September 30, its overdraft stood at £4.4 million and £1.2 million of loan notes were outstanding. The shares rose 1 1/4 p. to 8 1/4 p.

Trafalgar issue take-up

THE £425 million convertible cumulative preference share issue by Trafalgar House has achieved a 91.5 per cent take-up from shareholders. The issue has been buoyed up by a firm Trafalgar share price since the terms were announced in December. The remainder of the shares were put up for auction by Swiss Bank Corporation and Robert Fleming, the two securities houses that are handling the issue, and bids have come in at a premium to their price in the market. The average price bid is thought to have been around 141 1/4 p, a penny ahead of the nil-paid price at the close.

Tempus, page 27

Magnet go-ahead

SHAREHOLDERS in Berisford International, the former commodities group, have voted in favour of the £56 million acquisition of Magnet, the kitchen-to-bedrooms manufacturer and retailer, proposed earlier this month. The company will provide a new core business for Berisford, which has spent the past three years rationalising and disposing of its traditional businesses. Alan Bowkett, chief executive, said: "We see this transaction as our first step in building a successful conglomerate based upon sound finances, cost control, quality improvement and product development." Dealing in Berisford's shares resumes today.

Property dispute settled

CAPITAL & Counties, part of TransAtlantic Holdings, and Sun Alliance have resolved their dispute concerning a Watford property. They announced yesterday that C&C is to buy Sun Alliance's head leasehold interests in the Harlequin shopping centre for £162 million. The purchase is expected to be completed by February 28. Premier Land, the property investment group, is buying the Watford shopping centre, Doncaster, from British Land for £13 million, and a portfolio of premises from Landmark Investments for £4.55 million. A placing at 7p a share will raise £3 million towards the cost of the deal.

Motor World boosted

MOTOR World, the car accessory retailer that went public last February, has declared a maiden 7p total dividend for the year to October 31, 1993. A 4.7p final dividend and a 2.3p interim dividend were paid last summer, and is on the back of a rise in taxable profits to £3.6 million (£2.3 million). This was fuelled partly by a rise in spending per head by customers of 8 per cent. Operating profit in the retailing division rose to £2.9 million (£2.2 million), as 28 new branches were added. Packaging and distribution profits were static at £1.2 million (£1.3 million), following depressed demand in its biggest markets of vehicle makers and fast-fit retailers.

Haynes accelerates

A RISE in car sales in Britain and America should be good news for Haynes Publishing, the company said. There had traditionally been a "strong correlation" between demand for cars and sales of the company's car manuals. Haynes yesterday unveiled interim pre-tax profits up 40 per cent to a record £2.1 million (£1.5 million), with a 74 per cent surge in the dividend to 4p (2.3p). Earnings per share increased from 5.9p to 8.1p in the six months to November 30. There was a cash balance of £2.4 million. Max Pearce, chief executive, said general publishing losses were reduced, but it would probably be 1995 before the division was profitable.

Sinclair in Zeneca deal

WILLIAM Sinclair, a supplier of products to the garden, leisure and pet markets, has paid £2.76 million for the horticultural and garden compost business of Zeneca. The business, which had an estimated turnover of £3.7 million and made a profit before tax and interest of £436,000 for the year to December 31, will be integrated into William Sinclair's horticultural division. It will add 1,800 acres of peat lands to the division, which suffered from a poor peat harvest last year. Horticultural division sales rose slightly to £27.1 million last year.

Clarke receiving mixed signs on economy's health

By Janet Bush
ECONOMICS CORRESPONDENT

BRITISH manufacturing experienced a lull in activity in January, but this appears to reflect seasonal factors and the overall trend remains upward, according to the Chartered Institute of Purchasing and Supply, whose surveys offer the first snapshot of the economy each month.

Output, orders and employment all fell last month from December's levels. Output and orders were reported to have fallen partly because demand for goods, particularly consumer goods, tailed off after Christmas and partly because many firms shut for the New Year period as usual.

This report was one of a number yesterday that gave ambiguous signals on the state of the economy and which will be analysed closely by Kenneth Clarke, the Chancellor, and Eddie George, Governor of the Bank of England, who have their monthly

■ The money supply figures suggest that the Bank of England will be cautious about interest rate cuts and may wait for evidence of how tax increases impact on the economy

meeting tomorrow. Charged at these meetings with deciding on interest rate policy, the two men are watching carefully for any evidence that consumer confidence has begun to tail off again in anticipation of April tax rises and for any sign that this is having a knock-on effect on industry.

There was also news yesterday of a fall in the annual rate of growth of narrow money supply, M0, closely watched because it has traditionally had a close correlation with retail sales. The rate of growth fell to a provisional 5.3 per cent in January, from 5.8 per cent in December, a much greater fall than economists expected.

The government bond market rallied on these figures on hopes that they may persuade

Mr Clarke and Mr George that interest rates must be cut further. However, Ian Harnett, chief economist of Strauss Turnbull, said that notes and coins in circulation, the key component of M0, continued to grow at December's rate of 5.7 per cent in January and also that three-month growth rates for M0 in total appear to be accelerating.

The Bank of England is known to watch the notes and coins component closely. Mr Harnett said that the latest M0 figures still suggest that the Treasury and the Bank will remain cautious about interest rate cuts and will prefer to wait for solid evidence of how tax increases have affected activity before making any decisions.

The Chartered Institute of Purchasing and Supply emphasised the seasonal element in its latest figures and pointed out other indicators suggesting that underlying activity continues to improve. For example, many of those surveyed said that they had seen strong order growth in January, particularly in export markets. In addition, there was an increase in raw materials bought by manufacturers, suggesting that many businesses expect strong sales growth in the weeks to come.

The British Bankers' Association yesterday said that gross mortgage lending by major banks in January was 14 per cent down on December's level. Figures for net lending showed a drop of nearly 16 per cent, to £733 million.

The BBA conceded that, although fourth-quarter gross lending was at £4.56 billion, 26 per cent up on 1992's final quarter, there seems to have been some deceleration in recent months not explained by seasonal factors. Mortgage approvals fell by more than 23 per cent in value between December and January and by nearly 25 per cent in number.



Sir Denis, who is retiring after ten years on the board

Thatcher leaves board at Attwoods

By Sarah Bagnall

SIR Denis Thatcher has stepped down as non-executive deputy chairman at Attwoods after ten years with the waste management group. The period was characterised by a string of legal and regulatory problems in the US, miserable earnings growth and a temporary suspension of shares while support was mustered for a rights issue.

Sir Denis, a self-effacing man with a penchant for golf, is 77, ten years older than his wife, Baroness Thatcher. He joined Attwoods a year after Ken Foreman, Attwoods's chairman and chief executive, who arrived at the company in 1982.

Mr Foreman said: "We are very reluctant to lose him, but wish him a long and happy retirement."

Sir Denis, whose last day at Attwoods was yesterday, is a director at Quinton Hazell and Halfords and a consultant to Amec and CSX Corporation.

"The company is also splitting the roles of chairman and chief executive to 'comply with both the spirit and letter of the Cadbury Committee's code of best practice on corporate governance'," said Mr Foreman.

Lord Lane of Horsell, who has been a non-executive at the waste management company since 1992, is taking over as non-executive chairman, leaving Mr Foreman to continue as chief executive. Lord Lane, nine years Sir Denis's junior, is a chartered accountant and was senior partner at BDO Binder Hamlyn, the accountant, from 1979 to 1992.

Training quality under fire

By Our Industrial Editor

INDUSTRIAL training providers offer poor quality training, a majority of British managers believe, with a substantial number believing that increased regulation of the training market is desirable.

A survey by the Industrial Society suggests widespread dissatisfaction with the quality of training provided to companies by outside specialists at a time when corporate

spending on the matter is increasing. The survey of more than 500 industrial companies shows that 15 per cent of firms spend more than 1 per cent of their turnover on training, compared with 11 per cent in spring 1992 at the time of the last survey.

Average spending is 0.74 per cent of turnover, while training expenditure amounts to an average of 3.28 per cent

of their total salary bill. The society raised the question of whether industry was getting the quality of training it needed or were "cowboy" trainers damaging the reputation of trainers generally — and concluded that more than half of those surveyed saw this as a "serious problem".

More than half of the companies said they would like to see a licensing system.

Maxwell payout hope

By Angela Mackay

DIVIDENDS to Maxwell Communications Corporation creditors may be 6p in the pound more than originally expected, according to a report by Price Waterhouse, the administrators.

The administrators estimate that creditors may expect between 28p and 43p in the pound, against 22p to 43p as previously estimated. The higher distribution and its timing depends on completion of certain litigation. The first distribution of the

dividend, outlined in a report to creditors, should be in March, after confirmation in British and American courts of the reorganisation of Macmillan Inc and Official Airline Guides.

Six men charged after the collapse of Maxwell companies denied all charges at the City magistrates' court. Kevin and Ian Maxwell, Larry Trautenberg, Robert Bunn, Albert Fuller and Michael Stoney have been charged, variously with theft and fraud.

NHL set to re-enter house market

By Sara McConnell
PERSONAL FINANCE
CORRESPONDENT



Milner: withdrawal

NATIONAL Home Loans, the troubled centralised mortgage lender, is poised to re-enter the residential lending market from which it withdrew at the height of the housing slump in the summer of 1991.

Jonathan Perry, executive chairman, told the company's annual general meeting: "I expect us to be ready to launch our new lending in the spring. We plan to undertake relatively low risk business which will be suitable for securitisation."

He added: "Our underwriting and credit procedures will reflect the fact that housing can no longer be regarded as such a low risk lending opportunity and will incorporate the important lessons learnt over recent years." Mortgage ar-

rears had fallen, resulting in lower provisions for bad debt of £82 million in the year to September 1993 compared with £164 million the previous year, he said.

He added that losses for the same period were £32.9 mil-

lion compared with £59 million the previous year. The company is now trading profitably.

National Home Loans ran into trouble as interest rates started to rise in the late 1980s and early 1990s and customers started to default on loans.

Many customers had taken out self-certification loans where they vouched for their own income, or deferred interest loans where interest rolled up and was added to the outstanding debt. As interest rates rose, they could no longer afford to meet repayments.

The company withdrew from the residential mortgage market in 1991, when Kevin Milner was chief executive. Mr Perry took over from him the following February. At the time, it could no longer get funds from the money markets to lend on to customers at

rates they could afford. In 1992, it was bailed out by a consortium of banks in a refinancing deal. It has now repaid more than half of this debt although it still owes the banks £367 million.

Existing borrowers are still paying for the company's financial problems through higher rates, however. The money markets have been charging higher rates for lending to NHL because it has been perceived as a greater risk than other mortgage lenders, and these higher costs have been passed on to borrowers. The variable rate falls now to 9.49 per cent today, but this compares with the standard rate of 7.75 per cent from most building societies. NHL argues that many of its borrowers would not have been able to get a loan from a traditional building society.

LEGAL & PUBLIC NOTICES

071-782 7344

TENDERS & CONTRACTS

LEGAL NOTICES

West Mercia Constabulary
(Policing the Counties of Hereford & Worcester and Shropshire)

TENDERS FOR AUDIO AND VIDEO TAPES

Tenders are invited for the supply of audio tapes for the financial year 1st April 1994 - 31st March 1995 and video tapes as a single purchase. Closing date for receipt of tenders will be 21st February 1994.

Forms of tender, containing conditions and particulars of requirements can be obtained on application to:

The Chief Constable, (FAO The Force Supplies Officer),
Hindley Hall, P O Box 55, Worcester, WR3 8SP

Case No. 917235
IN THE HIGH COURT
COUNTY COURT
BETWEEN THE BANK OF
ENGLAND

MICHAEL JEAN HOPKINS
MICHAEL JEAN HOPKINS
(Respondent)
AND
CLAUDETTE DUBOIS
(Respondent)

NOTICE IS HEREBY GIVEN
THAT THE COURT HAS MADE AN ORDER
FOR THE SALE OF THE PROPERTY
OF THE RESPONDENTS

TO THE BEST OF THE COURT'S
POWER AND THE COURT HAS MADE AN ORDER
FOR THE SALE OF THE PROPERTY
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2. Further or in the alternative
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□ Europe backs Birmingham Motor Works □ Cahill competes with Russia □ Eugene Anderson in limbo

Johann Bull's offshore island

□ EIGHT world class motor car firms will now manufacture in Britain, more than in any other EC country. Sadly, none is British. Does that matter? It certainly would in most countries. Branch plants are a boon for jobs. Low wages and subordinated labour relations have turned Britain into Europe's most attractive offshore island. In an advanced economy, engineering, research and development, component leadership and all the high quality service jobs that go with a big corporation are just as important. Britain's record in the industry is so good, however, that it was left to Honda, British Aerospace's ditched partner, to argue how important it was to keep Rover British and independent.

In reality, Rover's long-term fate was sealed many years ago. Historians can squabble over the blame: in date order, management, workers, politicians and the investment community could all be charged. Remember, the Government was desperate to clear out its holdings and wanted Ford, or failing that General Motors, to take over the whole of B.L. Ford eventually got Jaguar, its main target along with Land-Rover. Lord Young finally sold Rover to BAE as a cheap way to fill a lull in defence profits more than a long-term strategic commitment. This was hardly a

new Daimler-Benz in the making, as BAE was already woefully under-capitalised. The City effectively decided that Rover was to be sold abroad when BAE's Sir Roland Smith was toppled. Sir Graham Day, who took the helm, quickly discovered the City was not prepared to pump in enough money to support all the group's businesses and set about retrenchment so that BAE could live within its limited means. The appointment of John Cahill, least sensitive face of BTR, confirmed the strategy.

Only the failure of the proposed sale of the regional jet airliner business has worried the City since. That stemmed from Mr Cahill's dislike of oriental ways. The Taiwanese needed a long-term partnership committed to invest and develop. BAE wanted cash. Similar misunderstanding led to Honda's dismay. Its executives, wedded to the subtleties of long-term partnership, could not grasp that BAE only wanted cash and out. It may have been surprised that, having completed Rover's transformation so it could expand again

from strength, Rover's own chairman should jump ship. Knowing Mr Cahill, it should not have been surprised to be told of the BMW deal only as a last minute formality. Ironically, the Quandis' rescue and nurturing of BMW was what Honda had in mind for Rover.

BMW has struck a blow in the battle for the European car market. German industry was seriously worried at the prospect of quality cars with Japanese technology and British costs attacking its markets. For Rover, the choice was merely between being bought by Honda or someone else. At least the new partnership should bring more opportunity than threat to jobs.

Zhirinovsky factor in BAE's future

□ EACH business sale, each announcement of job cuts brings a further boost to BAE's high-performing shares. Rover may be the biggest so far, but there have been many sales already and there are many more to come. That was necessary to



make BAE's balance sheet fit its portfolio of businesses; a thin spread left it weak across the board. But it still matters what the businesses are worth and what BAE ends up doing.

BMW shares rose almost as much as BAE's yesterday. It was reckoned to have netted a bargain. If Land-Rover is making £100 million a year profit on a rising trend, it would probably be worth the entire price of the deal, were it not for the off-balance-sheet commitments. Yet Rover appeared poised for profitable growth in a recovering market. Indeed, it had much in common with BMW after the first few years of the Quandt rescue. Since then, BMW has built a market worth of about £4.3 billion and, in

an exceptionally bad year, still makes more than £200 million net profit, from the sort of tiny market share BAE's new management loathes.

The core of BAE looks far less attractive. If polled, few fund managers would choose defence or civil aircraft manufacture as attractive sectors long-term. BAE cannot rely on Saudi orders for ever. International demand for sophisticated defence equipment will surely remain strong. In some areas it has probably been strengthened rather than cut by the collapse of the evil empire and the end of the cold war. Yet the obvious main supplier of these arms is Russia. It offers good solid equipment at unbeatable costs and is likely to do so for a long time. Arms exports present one of the best prospects for the Russian economy and will therefore be given top priority. Russia will only fail if it is not viewed as reliable or if Russia is again seen as a potential enemy. In short, BAE's strategy relies heavily on Vladimir Zhirinovsky. The chances are, therefore, that retrenchment at BAE will

leave a highly profitable company whose shares will sell at a low rating. In other words, Mr Cahill will have cleaned up the whole corporation for sale. Emer Lord Weinstock's GEC?

The Ferranti fallout...

□ IT WOULD appear that Eugene Anderson, while technically remaining chairman and a director of Ferranti International, has effectively bowed out of the company, currently in the hands of receivers John Talbot and Murdoch McKillop of accountants Arthur Andersen.

Anderson is understood to be advising the Talbot/McKillop duo, as and when required, but to all intents and purposes, the tough talking Texan, called in to attempt to salvage Ferranti in the wake of the ISC phantom contract scandal, has seen his role superseded by the receivers. Worse still, he has seen a near £1 million compensation payout, expected if Ferranti had passed to GEC, effectively evaporate. The receivers, for their part,

are now working off a short list of companies which have expressed interest in Ferranti's operations, the unsurprising contenders including GEC, British Aerospace, Thorn EMI and, inevitably, Thomson-CSF of France, joint partner in the profitable Thomson/Ferranti Sonar Systems UK venture. Thomson-CSF enjoys first refusal rights over Ferranti's 50 per cent interest and expectations are that the French defence combine will attempt to sell Ferranti's stake on to GEC. More interesting is the possibility that the French may succeed in tempting GEC to inject its own sonar interests into the venture — a decision which would herald collaboration on a far more significant scale.

Meanwhile a team of Ferranti's senior managers, led by marketing director Phil Burton and advised by Richard Stone of Coopers & Lybrand, are still attempting to promote a consortium takeover and exploratory talks are under way with City institutions and banks regarding the possibility of raising equity finance.

The "Newco" venture is, almost certainly, crossing lines with Talbot and McKillop but this must be of little concern to Anderson's men who, at the least, have encouraged the creation of a stalking horse which may yet prove a runner.

Salvesen shares hit by profits warning

BY SUSAN GILCHRIST

SHARES in Christian Salvesen tumbled 62p to 314p after the distribution, manufacturing and specialist hire group gave warning that profits for the year to March would be below market expectations and lower than the £74.8 million reported last year.

The news led analysts to downgrade profit forecasts by up to £10 million, to about £70 million. One business services analyst said: "The statement was disappointing. It will take a while for the company to rebuild its credibility."

Chris Masters, Salvesen's chief executive, said that a combination of uncertain economic conditions and tough competition was taking its toll on many of its businesses.

Aggreko, Salvesen's specialist hire business, which has grown rapidly in recent years, has been the worst hit after price-cutting on the Continent and in North America. A cost-reduction programme has been implemented and the group has pulled out of the Spanish market, where losses had become "unacceptable" after the sharp downturn in the economy. Aggreko would continue to fuel overall growth, a hope not borne out.

Tempos, page 27



Chris Masters said competition had taken its toll.

Tring executives to cut holdings

BY MARTIN FLANAGAN

THE three executive directors of Tring International, the budget price compact disc group facing legal action from leading industry names, will sell a significant part of their shareholdings when the company is floated this month.

Philip Keane, the finance director, said the aggregate 40 per cent stake owned by himself and Mark Frey and Philip Robinson, the joint chief executives, would probably be cut to between 30 and 33 per cent after the group went public via an institutional placing.

It is thought that Tring will have a market value of between £45 million and £50 million and industry sources believe it plans to raise something close to £25 million. Alan Wheatley, who was set to lead the company when

floatation was postponed in December, has withdrawn. His place will be taken by Tony Morris, formerly the deputy chairman.

Last week, Tring paid £20,000 to EMI Music to settle two copyright actions, and faces possible legal action from MCA and PolyGram. It forecasts profits of £5.1 million in the year to March 31. □ Slimma, which makes clothes for older and larger women, will have an £11.35 million market value when it floats in a week's time. The £2.65 million of new money to be raised will be used for growth, to repay debt and to redeem preference shares. Slimma was bought by its management from Tootal in 1991 for £3.3 million. In the 53 weeks to last October 1, it made profits of £1.15 million.

This offer notice, which is published on 1st February, 1994, is issued in compliance with the requirements of the International Stock Exchange of the United Kingdom and the Republic of Ireland Limited ("the London Stock Exchange"). It should be read in conjunction with the listing particulars dated 1st February, 1994 ("the Listing Particulars") relating to the Fleming Japanese Investment Trust plc ("the Company") which alone contains full details of the Company and the Conversion Shares.

A Mini Prospectus relating to the Placing and Offer for Subscription has also been produced and is available as set out below.

In applying for Conversion Shares in the Company you will be treated as applying on the basis of the information contained in the Listing Particulars and on the terms and conditions contained therein. Expressions defined in the Listing Particulars have the same meanings in this notice. Before deciding to apply for Conversion Shares, you should consider carefully whether they are a suitable investment for you. Their value and the income from them can go down as well as up. If you need advice, you should consult your own professional adviser.

The London Stock Exchange has authorised the issue of this document under Section 154(1)(b) of the Financial Services Act 1986 without approving its contents.



THE FLEMING JAPANESE

INVESTMENT TRUST PLC
(Incorporated and registered in England under the Companies Act 1985, No. 223555)

Placing and Offer for Subscription of
up to 250,000,000 Conversion Shares

at 100p per share

sponsored by

Robert Fleming & Co. Limited

Application from outside the United Kingdom

No person receiving a copy of this offer notice and Application Form in any territory other than the United Kingdom may treat the same as constituting an invitation or offer to him nor should he in any event use such Application Form, unless, in the relevant territory, such an invitation or offer could lawfully be made to him or such Application Form could lawfully be used without contravention of any registration or other legal requirements. It is the responsibility of any person outside the United Kingdom wishing to make an application hereunder to satisfy himself as to full observance of the laws of any relevant territory in connection therewith, including obtaining any requisite governmental or other consents, observing any other formalities requiring to be observed in such territory and paying any issue, transfer or other taxes required to be paid in such territory.

Availability of the Mini Prospectus and of the Listing Particulars

Copies of the Listing Particulars and the Mini Prospectus, including Application Forms, can be obtained during normal business hours up to and including 24th February, 1994 from the following:

Fleming Investment Trust Management Limited,
25 Copthall Avenue,
London EC2R 7DR
Tel: 071 920 0539

James Capel & Co. Limited,
Thames Exchange,
10 Queen Street Place,
London EC4R 1BL
Tel: 071 621 0011

Copies of the Listing Particulars may also be collected during normal business hours from the Company Announcements Office, The London Stock Exchange, London Stock Exchange Tower, Capel Court Entrance, off Bartholomew Lane, London EC2 until 2nd February, 1994.

Application Form

An Application Form in respect of the Offer for Subscription is set out alongside, together with a guide on how to complete it. Completed Application Forms should be returned by post to New Issues Department, Barclays Registrars, PO Box 166, Bourne House, 34 Beckenham Road, Beckenham, Kent BR3 4TH or by hand to Barclays Registrars, 170 Fenchurch Street, London EC3 or to Robert Fleming & Co. Limited, 25 Copthall Avenue, London EC2, in each case so as to be received not later than 10.00 a.m. on Wednesday, 23rd February, 1994.

APPLICATION FORM

Important - Before completing this form, you should read the accompanying notes.

All applicants must complete sections 1, 2 and 4

1. PERSONAL DETAILS (PLEASE PRINT IN BLOCK CAPITALS)

Title		Surname		Permanent Address	
First Name					
A/C Designation (if any)					
Telephone (Home)		(Office)		Postcode	

2. APPLICATION TO THE FLEMING JAPANESE INVESTMENT TRUST PLC

I/We offer to subscribe for Conversion Shares at 100p each in The Fleming Japanese Investment Trust plc, subject to the Terms and Conditions of Application set out in the Listing Particulars and Mini Prospectus dated for February, 1994.

I/We attach a cheque or bankers' draft for the amount payable of £

☐ I/We enclose a cheque or bankers' draft for the exact amount specified in the box made payable to "Robert Fleming & Co. Limited" and crossed "A/C Payee only".

Section 3 must only be completed by Joint Applicants.

3. JOINT APPLICANTS

Title	Surname	First Name	Signature
Title	Surname	First Name	Signature
Title	Surname	First Name	Signature

4. SIGNATURE

Signature Date 1994

Fleming Japanese Share Plus Account No.

For official use only

Stamp of Issuing Authority	SRO and Membership Number (Incorporation only)	Conversion Shares Allowed
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NOTES ON HOW TO COMPLETE THE APPLICATION FORM

All applicants must complete sections 1, 2 and 4

1. PERSONAL DETAILS

Fill in the block capitals the full name and address of the applicant. If this application is being made jointly with other persons, please read Note 3 before completing Box 1. For corporate applications, please give the registered name of the company.

2. APPLICATION TO THE FLEMING JAPANESE INVESTMENT TRUST PLC

Fill in (in figures) the number of Conversion Shares to which you wish to apply. The application must be for a maximum of 250,000 Conversion Shares. Thereafter you may apply for up to 5,000 Conversion Shares in multiples of 500, from 5,001 to 10,000 Conversion Shares in multiples of 1,000 from 10,001 to 50,000 Conversion Shares in multiples of 5,000 and above 50,000 Conversion Shares in multiples of 10,000.

Fill in (in figures) the total amount payable at 100p per Conversion Share.

Plus a cheque or bankers' draft for the exact amount shown in the Box in your completed Application Form. Your cheque or bankers' draft must be made payable to "Robert Fleming & Co. Limited" and crossed "A/C Payee only".

Your payment must be made in full. No receipt will be sent.

Your cheque or bankers' draft must be drawn on an account as a bank branch in the United Kingdom, the Channel Islands or the Isle of Man and must bear a United Kingdom bank code number in the top right hand corner. If you do not have a cheque account, you can obtain a cheque from your building society or bank.

An application may be accompanied by a cheque drawn by someone other than the applicant, but an amount retained will be sent by cheque crossed "A/C Payee only" in favour of the first named applicant.

Please ensure that you have sufficient funds in your bank account as cheques may be presented immediately.

Section 3 must only be completed by Joint Applicants

3. JOINT APPLICANTS

You must apply jointly with up to three other persons. Boxes 1 and 2 must be completed by one applicant. All other persons who wish to join in the application must complete and sign Box 3.

Another person may sign on behalf of any joint applicant if that person is duly authorised to do so under a power of attorney. The power of attorney for a copy duly certified by a solicitor must be enclosed for signature.

Certificates for the New Ordinary Shares and the New Warrants issued on conversion of Conversion Shares, cheques and other correspondence will be sent to the address in Box 1.

4. SIGNATURE

The applicant named in Box 1 must date and sign Box 4.

The Application Form may be signed by another person on your behalf if that person is duly authorised to do so under a power of attorney. The power of attorney for a copy duly certified by a solicitor must be enclosed for signature.

A corporate applicant should sign under the hand of a duly authorised official, whose representative capacity must be stated.

INSTRUCTIONS FOR DELIVERY OF COMPLETED APPLICATION FORMS

Completed Application Forms should be returned to New Issues Department, Barclays Registrars, PO Box 166, Bourne House, 34 Beckenham Road, Beckenham, Kent BR3 4TH or by hand only to Barclays Registrars, 170 Fenchurch Street, London EC3 or to Robert Fleming & Co. Limited, 25 Copthall Avenue, London EC2, in each case so as to be received not later than 10.00 a.m. on Wednesday, 23rd February, 1994. If you post your Application Form, you are recommended to use the first class post and to allow at least two days for delivery.

Shares soar to record in new account

SHARE prices on the London stock market started the new two-week trading account on a firm note as prices surged to their highest levels ever. The FT-SE 100 index closed at the best for the day, with a rise of 44.4 points to 3,491.8, as almost one billion shares changed hands.

The latest record-breaking run was inspired by a 1,400 point rally overnight in Japan and a healthy rise in Hong Kong, coupled with an opening 33-point rise in the Dow Jones average on Wall Street following evidence of a revival in the US economy.

Brokers in London were last night again talking about a possible cut in domestic interest rates. Leading shares made most of the running, squeezed higher by demand

for the financial future. Sentiment was also cheered by news that British Aerospace is to sell its Rover car division to BMW, the German carmaker, for \$800 million, lifting the share price 47p to 491p. BAC said the disposal would result in lower interest charges and enhanced earnings. The deal also revived speculation that GEC might re-open talks about co-operation, or even an outright bid for BAE. GEC rose 34p to 340p.

Among leaders, **Bowater** led 15p to 487p after James Capel, the broker, downgraded its recommendation from a buy to a hold. But there were sizeable gains for Pearson, 23p to 99p, Reed, 19p to 947p, and BT, 7p to 474p. Reuters also came within a whisker of the £20 mark, with a leap

of 21p to £19.94. **Rank Organisation** climbed 24p to £10.98 awaiting publication of the annual report.

There was further bad news for the food retailers, with **Tesco** announcing plans to axe 800 jobs, around 10 per cent of the workforce, during the next six months. The cuts will be aimed at distribution and head office staff. The shares finished 15p down on the day at 221p, while falls were also recorded in **J Sainsbury**, 12p to 381p, **Argyll**, 2p to 25p, and **Kwik Save**, 6p to 58p.

A profits warning left **Christian Salvesen** 61p lower at 314p. The company said that

pre-tax profits for the current year for Rank would fall short of market expectations and would be slightly below last year's £74.8 million. The group blamed increased competition. Henderson Crosthwaite, the broker, has cut its forecast for the current year by £6.5 million to £72.5 million, with House Govett also reducing its estimate by £6 million to £73 million.

Trafalgar House rose 5p to 109p after learning that 91.5 per cent of its convertible preference rights issue had been taken up. The 30.16 million shares not taken up have been offered for tender at a minimum price of 100p.

There has also been a separate placing of 70 million convertible preference shares at 100p. The money will be used to reduce borrowings.

Welcome led 15p to 662p, awaiting publication of the Concorde report next month which is expected to confirm that Retirov does not delay the development of Aids in patients who are HIV positive.

GILT-EDGED: Gills made the most of some better than expected money supply figures and former European bond markets.

The March series of the long gilt climbed £17/32 to £119/7/32 as 55,000 contracts were completed.

In the cash market, **Treasury 9** per cent 2012 was almost £1/2 better at £261/32, while at the shorter end

Treasury 9 1/2 per cent 1999 firmed three ticks to £115/4.

WALL STREET: Shares extended their rally despite a warning by Alan Greenspan, Federal Reserve chairman, that the central bank must decide this week when to push up interest rates. At midday, the Dow Jones industrial average was up 27.86 points at 3,973.29.

Advancing issues led declining issues 13 to 57. Treasuries remained mixed, with the long bond up two ticks to yield 6.21 per cent.

INCHCAPE: The Inchcape share price fell 20p to 586p on Friday, and out as indicated in the chart accompanying the stock market report (January 29). We apologise for the error.

MICHAEL CLARK

MARKETS AT A GLANCE

THE POUND
US \$ 1.5990 (+0.0345)
German mark 2.6146 (+0.0153)
Exchange index 823.1 (-0.11)
Bank of England official rate (4pm)

STOCK MARKET
FT-SE 100 3491.8 (+44.4)
Dow Jones 3973.29 (+27.86)
Nikkei 225 12121.1 (+171.24)

INTEREST RATES
London Bank Base 5 1/4%
3-month Interbank 5 1/4%
US Federal Funds 3 1/4%
3-month Treas Bill 2 3/4%
Long Bond 6 1/2%

CURRENCIES
New York: London 1.5990
£/\$ 1.5990
£/DM 1.7400
£/Sfr 1.4619
£/Yen 1.5051
\$/Yen 108.70
\$/DM 1.0849
\$/Yen 108.70
\$/DM 1.0849

GOLD
London (PM) 377.90
New York 377.90-378.40
Comex 375.95-376.45

OIL
Brent Crude 51.14 (no bid) (Mar)

RETAIL PRICES
RPI 141.9 Dec 1993 Jan 1994 = 100
* Denotes midday trading price

TOURIST RATES
Bank of England
Australia \$ 2.25
Austria Sch 13.76
Belgium F 66.24
Canada Cdn 1.70
Denmark Kr 8.16
France F 6.55
Germany DM 1.93
Hong Kong \$ 7.75
Italy Lit 2036.00
Japan Yen 173.60
Netherlands Gld 2.20
Norway Nkr 4.76
Portugal Esc 204.80
Spain Ptas 166.64
Sweden Swk 4.66
Switzerland Fr 2.00
Turkey Lira 20.36
USA \$ 1.5990

Rates for small denomination bank notes only as supplied by Barclays Bank PLC. Different rates apply to travellers' cheques. Rates as at close of trading yesterday.

Reform cheer sends Nikkei soaring

FROM JOANNA PITMAN IN TOKYO

THE Tokyo stock market's response to the new political reform legislation of Morihito Hosokawa, the Japanese Prime Minister, clearing the way for an expected 15 trillion yen (US\$1 billion) economic stimulus package, was swift and unambiguous.

The Nikkei 225 index rose 1,471.24 points yesterday, the fourth highest jump on record, to close at 12,121.12 as market traders predicted further increases during the week.

Exceptionally high volume trading, estimated at 800 million shares for the day, indicated a possible revival, at least in the short term, of a stock market generally considered to be the leading barometer



Hosokawa: success

of Japan's economic health. The upbeat view in the markets derives from the eleven-hour session in the Japanese parliament on Saturday night of a long-awaited package of

political reform bills designed to clean up the country's corruption-prone political system.

The passage of the bills clears the way for financial and economic measures that are expected to help pull the economy out of its four-year recession.

The economic stimulus package is expected to incorporate a ¥6 trillion income tax reduction, ¥4 trillion in public works spending, ¥2 trillion in a government land purchase scheme and ¥1 trillion in loans to small- and medium-sized companies.

The package is the third key effort this fiscal year to revive the badly damaged economy, which is now moving into its fourth year of shrinking economic growth.

WALL STREET

	Jan 31	Jan 28	Jan 25	Jan 22	Jan 19	Jan 16	Jan 13	Jan 10	Jan 7	Jan 4	Jan 1	Dec 29	Dec 26	Dec 23	Dec 20	Dec 17	Dec 14	Dec 11	Dec 8	Dec 5	Dec 2	Nov 29	Nov 26	Nov 23	Nov 20	Nov 17	Nov 14	Nov 11	Nov 8	Nov 5	Nov 2	Oct 30	Oct 27	Oct 24	Oct 21	Oct 18	Oct 15	Oct 12	Oct 9	Oct 6	Oct 3	Sept 30	Sept 27	Sept 24	Sept 21	Sept 18	Sept 15	Sept 12	Sept 9	Sept 6	Sept 3	Aug 31	Aug 28	Aug 25	Aug 22	Aug 19	Aug 16	Aug 13	Aug 10	Aug 7	Aug 4	Aug 1	July 29	July 26	July 23	July 20	July 17	July 14	July 11	July 8	July 5	July 2	June 29	June 26	June 23	June 20	June 17	June 14	June 11	June 8	June 5	June 2	May 30	May 27	May 24	May 21	May 18	May 15	May 12	May 9	May 6	May 3	April 30	April 27	April 24	April 21	April 18	April 15	April 12	April 9	April 6	April 3	March 31	March 28	March 25	March 22	March 19	March 16	March 13	March 10	March 7	March 4	March 1	Feb 28	Feb 25	Feb 22	Feb 19	Feb 16	Feb 13	Feb 10	Feb 7	Feb 4	Feb 1	Jan 29	Jan 26	Jan 23	Jan 20	Jan 17	Jan 14	Jan 11	Jan 8	Jan 5	Jan 2	Dec 30	Dec 27	Dec 24	Dec 21	Dec 18	Dec 15	Dec 12	Dec 9	Dec 6	Dec 3	Nov 30	Nov 27	Nov 24	Nov 21	Nov 18	Nov 15	Nov 12	Nov 9	Nov 6	Nov 3	Oct 31	Oct 28	Oct 25	Oct 22	Oct 19	Oct 16	Oct 13	Oct 10	Oct 7	Oct 4	Oct 1	Sept 28	Sept 25	Sept 22	Sept 19	Sept 16	Sept 13	Sept 10	Sept 7	Sept 4	Sept 1	Aug 28	Aug 25	Aug 22	Aug 19	Aug 16	Aug 13	Aug 10	Aug 7	Aug 4	Aug 1	July 29	July 26	July 23	July 20	July 17	July 14	July 11	July 8	July 5	July 2	June 29	June 26	June 23	June 20	June 17	June 14	June 11	June 8	June 5	June 2	May 30	May 27	May 24	May 21	May 18	May 15	May 12	May 9	May 6	May 3	April 30	April 27	April 24	April 21	April 18	April 15	April 12	April 9	April 6	April 3	March 31	March 28	March 25	March 22	March 19	March 16	March 13	March 10	March 7	March 4	March 1	Feb 28	Feb 25	Feb 22	Feb 19	Feb 16	Feb 13	Feb 10	Feb 7	Feb 4	Feb 1	Jan 29	Jan 26	Jan 23	Jan 20	Jan 17	Jan 14	Jan 11	Jan 8	Jan 5	Jan 2	Dec 30	Dec 27	Dec 24	Dec 21	Dec 18	Dec 15	Dec 12	Dec 9	Dec 6	Dec 3	Nov 30	Nov 27	Nov 24	Nov 21	Nov 18	Nov 15	Nov 12	Nov 9	Nov 6	Nov 3	Oct 31	Oct 28	Oct 25	Oct 22	Oct 19	Oct 16	Oct 13	Oct 10	Oct 7	Oct 4	Oct 1	Sept 28	Sept 25	Sept 22	Sept 19	Sept 16	Sept 13	Sept 10	Sept 7	Sept 4	Sept 1	Aug 28	Aug 25	Aug 22	Aug 19	Aug 16	Aug 13	Aug 10	Aug 7	Aug 4	Aug 1	July 29	July 26	July 23	July 20	July 17	July 14	July 11	July 8	July 5	July 2	June 29	June 26	June 23	June 20	June 17	June 14	June 11	June 8	June 5	June 2	May 30	May 27	May 24	May 21	May 18	May 15	May 12	May 9	May 6	May 3	April 30	April 27	April 24	April 21	April 18	April 15	April 12	April 9	April 6	April 3	March 31	March 28	March 25	March 22	March 19	March 16	March 13	March 10	March 7	March 4	March 1	Feb 28	Feb 25	Feb 22	Feb 19	Feb 16	Feb 13	Feb 10	Feb 7	Feb 4	Feb 1	Jan 29	Jan 26	Jan 23	Jan 20	Jan 17	Jan 14	Jan 11	Jan 8	Jan 5	Jan 2	Dec 30	Dec 27	Dec 24	Dec 21	Dec 18	Dec 15	Dec 12	Dec 9	Dec 6	Dec 3	Nov 30	Nov 27	Nov 24	Nov 21	Nov 18	Nov 15	Nov 12	Nov 9	Nov 6	Nov 3	Oct 31	Oct 28	Oct 25	Oct 22	Oct 19	Oct 16	Oct 13	Oct 10	Oct 7	Oct 4	Oct 1	Sept 28	Sept 25	Sept 22	Sept 19	Sept 16	Sept 13	Sept 10	Sept 7	Sept 4	Sept 1	Aug 28	Aug 25	Aug 22	Aug 19	Aug 16	Aug 13	Aug 10	Aug 7	Aug 4	Aug 1	July 29	July 26	July 23	July 20	July 17	July 14	July 11	July 8	July 5	July 2	June 29	June 26	June 23	June 20	June 17	June 14	June 11	June 8	June 5	June 2	May 30	May 27	May 24	May 21	May 18	May 15	May 12	May 9	May 6	May 3	April 30	April 27	April 24	April 21	April 18	April 15	April 12	April 9	April 6	April 3	March 31	March 28	March 25	March 22	March 19	March 16	March 13	March 10	March 7	March 4	March 1	Feb 28	Feb 25	Feb 22	Feb 19	Feb 16	Feb 13	Feb 10	Feb 7	Feb 4	Feb 1	Jan 29	Jan 26	Jan 23	Jan 20	Jan 17	Jan 14	Jan 11	Jan 8	Jan 5	Jan 2	Dec 30	Dec 27	Dec 24	Dec 21	Dec 18	Dec 15	Dec 12	Dec 9	Dec 6	Dec 3	Nov 30	Nov 27	Nov 24	Nov 21	Nov 18	Nov 15	Nov 12	Nov 9	Nov 6	Nov 3	Oct 31	Oct 28	Oct 25	Oct 22	Oct 19	Oct 16	Oct 13	Oct 10	Oct 7	Oct 4	Oct 1	Sept 28	Sept 25	Sept 22	Sept 19	Sept 16	Sept 13	Sept 10	Sept 7	Sept 4	Sept 1	Aug 28	Aug 25	Aug 22	Aug 19	Aug 16	Aug 13	Aug 10	Aug 7	Aug 4	Aug 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□ Europe backs Birmingham Motor Works □ Cahill competes with Russia □ Eugene Anderson in limbo

Johann Bull's offshore island

□ EIGHT world class motor car firms will now manufacture in Britain, more than in any other EC country. Sadly, none is British. Does that matter? It certainly would in most countries. Branch plants are a boon for jobs. Low wages and subsidised labour relations have turned Britain into Europe's most attractive offshore island. In an advanced economy, engineering, research and development, component leadership and all the high quality service jobs that go with a big corporation are just as important. Britain's record in the industry is so bad, however, that it was left to Honda, British Aerospace's ditched partner, to argue how important it was to keep Rover British and independent.

In reality, Rover's long-term fate was sealed many years ago. Historians can squabble over the blame: in date order, management, workers, politicians and the investment community could all be charged. Remember, the Government was desperate to clear out its holdings and wanted Ford, or failing that General Motors, to take over the whole of BL. Ford eventually got Jaguar, its main target along with Land-Rover. Lord Young finally sold Rover to BAE as a cheap way to fill a full defence portfolio more than a long-term strategic commitment. This was hardly a

new Daimler-Benz in the making, as BAE was already woefully under-capitalised. The City effectively decided that Rover was to be sold abroad when BAE's Sir Roland Smith was toppled. Sir Graham Day, who took the helm, quickly discovered the City was not prepared to pump in enough money to support all the group's businesses and set about retrenchment so that BAE could live within its limited means. The appointment of John Cahill, least sensitive face of BTR, confirmed the strategy.

Only the failure of the proposed sale of the regional jet airliner business has worried the City since. That stemmed from Mr Cahill's dislike of oriental ways. The Taiwanese needed a long-term partnership committed to invest and develop. BAE wanted cash. Similar misunderstanding led to Honda's dismay. Its executives, wedded to the subtleties of long-term partnership, could not grasp that BAE only wanted cash and out. It may have been surprised that, having completed Rover's transformation so it could expand again



from strength, Rover's own chairman should jump ship. Knowing Mr Cahill, it should not have been surprised to be told of the BMW deal only as a last minute formality. Ironically, the Quandts' rescue and nurturing of BMW was what Honda had in mind for Rover.

Zhirinovskiy factor in BAE's future

□ EACH business sale, each announcement of job cuts brings a further boost to BAE's high-performing shares. Rover may be the biggest so far, but there have been many sales already and there are many more to come. That was necessary to

an exceptionally bad year, still makes more than £200 million net profit from the sort of tiny market share BAE's new management loathes.

The core of BAE looks far less attractive. If polled, few fund managers would choose defence or civil aircraft manufacture as attractive sectors long-term. BAE cannot rely on Saudi orders for ever. International demand for sophisticated defence equipment will surely remain strong. In some areas it has probably been strengthened rather than cut by the collapse of the evil empire and the end of the cold war. Yet the obvious main supplier of those arms is Russia. It offers good solid equipment at unbeatable costs and is likely to do so for a long time. Arms exports present one of the best prospects for the Russian economy and will therefore be given top priority. Russia will only fail if it is not viewed as reliable or if Russia is again seen as a potential enemy. In short, BAE's strategy relies heavily on Vladimir Zhirinovskiy.

leave a highly profitable company whose shares will sell at a low rating. In other words, Mr Cahill will have cleaned up the whole corporation for sale. Enter Lord Weinstock's GEC?

The Ferranti fallout...

□ IT WOULD appear that Eugene Anderson, while technically remaining chairman and a director of Ferranti International, has effectively bowed out of the company, currently in the hands of receivers John Talbot and Murdoch McKillop of accountants Arthur Andersen. Anderson is understood to be advising the Talbot/McKillop duo, as and when required, but to all intents and purposes, the tough talking Texan, called in to attempt to salvage Ferranti in the wake of the ISC phantom contract scandal, has seen his role superseded by the receivers. Worse still, he has seen a near £1 million compensation payout, expected if Ferranti had passed to GEC, effectively evaporate. The receivers, for their part,

are now working off a short list of companies which have expressed interest in Ferranti's operations, the unsurprising contenders including GEC, British Aerospace, Thorn EMI and, inevitably, Thomson-CSF of France, joint partner in the profitable Thomson/Ferranti Sonar Systems UK venture. Thomson-CSF enjoys first refusal rights over Ferranti's 50 per cent interest and expectations are that the French defence combine will attempt to sell Ferranti's stake on to GEC. More interesting is the possibility that the French may succeed in tempting GEC to inject its own sonar interests into the venture — a decision which would herald collaboration on a far more significant scale.

Meanwhile a team of Ferranti's senior managers, led by marketing director Phil Burton and advised by Richard Stone, of Coopers & Lybrand, are still attempting to promote a consortium takeover and exploratory talks are under way with City institutions and banks regarding the possibility of raising equity finance. The "Newco" venture is, almost certainly, crossing lines with Talbot and McKillop but this must be of little concern to Anderson's men who, at the least, have encouraged the creation of a stalking horse which may yet prove a runner.

Salvesen shares hit by profits warning

By SUSAN GILCHRIST

SHARES in Christian Salvesen tumbled 60p to 314p after the distribution, manufacturing and specialist hire group gave warning that profits for the year to March would be below market expectations and lower than the £74.8 million reported last year.

The news led analysts to downgrade profit forecasts by up to £10 million, to about £70 million. One business services analyst said: "The statement was disappointing. It will take a while for the company to rebuild its credibility."

Chris Masters, Salvesen's chief executive, said that a combination of uncertain economic conditions and tough competition was taking its toll on many of its businesses. Aggreko, Salvesen's specialist hire business, which has grown rapidly in recent years, has been the worst hit after price-cutting on the Continent and in North America. A cost-reduction programme has been implemented and the group has pulled out of the Spanish market, where losses had become "unacceptable" after the sharp downturn in the economy. Aggreko's performance had also been harmed by premature termination of its power supply

contract in Croatia, where it was serving the town of Split. The restructuring of its light and sound division, announced last year, will now include a further £1 million stock writedown.

Group profits will also be reduced by the bad weather, which has hit volumes in the group's vegetable processing operations.

Steady progress was made by Salvesen's distribution businesses, which account for 45 per cent of the group's operating profits. Swift Distribution, the industrial distribution business bought for £80 million last October, is performing ahead of expectations.

Salvesen Brick is seeing a pick-up in demand and firmer prices.

Salvesen disappointed the City last December when it announced flat underlying profits at the interim stage. Excluding exceptional items, pre-tax profits rose from £40.4 million to £41.1 million for the six months to September 30. At the time, Mr Masters said that Aggreko would continue to fuel overall growth, a hope not borne out.

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Chris Masters said competition had taken its toll

Tring executives to cut holdings

By MARTIN FLANAGAN

THE three executive directors of Tring International, the budget price compact disc group facing legal action from leading industry names, will sell a significant part of their shareholdings when the company is floated this month.

Philip Keane, the finance director, said the aggregate 46 per cent stake owned by himself and Mark Frey and Philip Robinson, the joint chief executives, would probably be cut to between 30 and 33 per cent after the group went public via an institutional placing.

It is thought that Tring will have a market value of between £45 million and £50 million and industry sources believe it plans to raise something close to £25 million. Alan Wheatley, who was set to lead the company when

floatation was postponed in December, has withdrawn. His place will be taken by Tony Morris, formerly the deputy chairman.

Last week, Tring paid £20,000 to EMI Music to settle two copyright actions, and faces possible legal action from MCA and PolyGram. It forecasts profits of £5.1 million in the year to March 31. Silima, which makes clothes for older and larger women, will have an £11.35 million market value when it floats in a week's time. The £2.65 million of new money to be raised will be used for growth, to repay debt and to redeem preference shares. Silima was bought by its management from Tootal in 1991 for £3.3 million. In the 53 weeks to last October 1, it made profits of £115 million.

This offer notice, which is published on 1st February, 1994, is issued in compliance with the requirements of the International Stock Exchange of the United Kingdom and the Republic of Ireland Limited ("the London Stock Exchange"). It should be read in conjunction with the listing particulars dated 1st February, 1994 ("the Listing Particulars") relating to the Fleming Japanese Investment Trust plc ("the Company") which alone contains full details of the Company and the Conversion Shares.

A Mini Prospectus relating to the Placing and Offer for Subscription has also been produced and is available as set out below.

In applying for Conversion Shares in the Company you will be treated as applying on the basis of the information contained in the Listing Particulars and on the terms and conditions contained therein. Expressions defined in the Listing Particulars have the same meanings in this notice. Before deciding to apply for Conversion Shares, you should consider carefully whether they are a suitable investment for you. Their value and the income from them can go down as well as up. If you need advice, you should consult your own professional adviser.

The London Stock Exchange has authorised the issue of this document under Section 154(1)(b) of the Financial Services Act 1986 without approving its contents.



THE FLEMING JAPANESE INVESTMENT TRUST PLC

(Incorporated and registered in England under the Companies Act 1985, No. 225583)

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at 100p per share

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Robert Fleming & Co. Limited

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No person receiving a copy of this offer notice and Application Form in any territory other than the United Kingdom may treat the same as constituting an invitation or offer to him nor should he in any event use such Application Form, unless, in the relevant territory, such an invitation or offer could lawfully be made to him or such Application Form could lawfully be used without contravention of any registration or other legal requirements. It is the responsibility of any person outside the United Kingdom wishing to make an application hereunder to satisfy himself as to full observance of the laws of any relevant territory in connection therewith, including obtaining any requisite governmental or other consents, observing any other formalities requiring to be observed in such territory and paying any issue, transfer or other taxes required to be paid in such territory.

Availability of the Mini Prospectus and of the Listing Particulars

Copies of the Listing Particulars and the Mini Prospectus, including Application Forms, can be obtained during normal business hours up to and including 24th February, 1994 from the following:

Fleming Investment Trust Management Limited,
25 Cophall Avenue,
London EC2R 7DR
Tel: 071 920 0539

James Capel & Co. Limited,
Thames Exchange,
10 Queen Street Place,
London EC4R 1BL
Tel: 071 621 0011

Copies of the Listing Particulars may also be collected during normal business hours from the Company Announcements Office, The London Stock Exchange, London Stock Exchange Tower, Capel Court Entrance, off Bartholomew Lane, London EC2 until 2nd February, 1994.

Application Form

An Application Form in respect of the Offer for Subscription is set out alongside, together with a guide on how to complete it. Completed Application Forms should be returned by post to New Issues Department, Barclays Registrars, PO Box 166, Bourne House, 34 Beckenham Road, Beckenham, Kent BR3 4TH or by hand to Barclays Registrars, 170 Fenchurch Street, London EC3 or to Robert Fleming & Co. Limited, 25 Cophall Avenue, London EC2, in each case so as to be received not later than 10.00 a.m. on Wednesday, 23rd February, 1994.

APPLICATION FORM

Important - Before completing this form, you should read the accompanying notes.

All applicants must complete sections 1, 2 and 4.

1. PERSONAL DETAILS (PLEASE USE BLOCK INK AND BLOCK CAPITALS)

Title		Surname		Permanent Address	
First Names					
A/C Designation (if any)					
Telephone (Home)		(Business)		Postcode	

2. APPLICATION TO THE FLEMING JAPANESE INVESTMENT TRUST PLC

I/We offer to subscribe for Conversion Shares at 100p each in The Fleming Japanese Investment Trust plc, subject to the Terms and Conditions of Application set out in the Listing Particulars and Mini Prospectus dated 1st February, 1994.

I/We attach a cheque or bankers' draft for the amount payable of £

☐ Put your cheque or bankers' draft for the exact amount specified in the box made payable to "Robert Fleming & Co. Limited" and crossed "A/c Payee only".

Section 3 must only be completed by Joint Applicants

3. JOINT APPLICANTS

Title	Surname	First Names	Signature
Title	Surname	First Names	Signature

4. SIGNATURE

Signature	Date
	1994

Fleming Japanese Share Plan Account No:

For official use only

Stamp of intermediary or financial institution	SRN and Membership Number (intermediaries only)	Conversion Shares Allotted

NOTES ON HOW TO COMPLETE THE APPLICATION FORM

All applicants must complete sections 1, 2 and 4

1. PERSONAL DETAILS

Fill in the block capitals the full name and address of the applicant. If the application is being made jointly with other persons, please read Note 3 before completing this form. For company applications, please give the registered name of the company.

2. APPLICATION TO THE FLEMING JAPANESE INVESTMENT TRUST PLC

Fill in (in figures) the number of Conversion Shares for which you wish to apply. The application must be for a minimum of 2,500 Conversion Shares. Thereafter you may apply for up to 5,000 Conversion Shares in multiples of 500. Conversion Shares are multiples of 1,000 from 10,000 to 50,000 Conversion Shares in multiples of 5,000 and above 50,000 Conversion Shares in multiples of 10,000.

Fill in (in figures) the total amount payable at 100p per Conversion Share.

Put a cheque or bankers' draft for the exact amount shown in the Box to your completed Application Form. Your cheque or bankers' draft must be made payable to "Robert Fleming & Co. Limited" and crossed "A/c Payee only".

Your personal name where solely in the application. Do not stamp with a bank branch in the United Kingdom, the Channel Islands or the Isle of Man and must bear a United Kingdom bank code number in the top right hand corner. If you do not have a cheque account, you can attach a cheque from your building society or bank branch.

An application may be accompanied by a cheque drawn by someone other than the applicant, but any monies returned will be sent by cheque crossed "A/c Payee only" in favour of the firm named applicant.

Please ensure that you have sufficient funds in your bank account as cheques may be presented immediately.

Section 3 must only be completed by Joint Applicants.

3. JOINT APPLICANTS

You may apply jointly with up to three other persons. Sections 1 and 2 must be completed by one applicant. All other persons who wish to join in the application must complete and sign Box 3. Another person may sign on behalf of any person, if that person is a duly authorised director or a duly authorised officer of the company. The person of authority for a copy held by a solicitor must be included for signature.

Conditions for the New Ordinary Shares and the New Warrants issued on conversion of Conversion Shares, cheques and other correspondence will be sent to the address in Box 1.

4. SIGNATURE

The applicant must sign in Box 4 using dark ink and sign Box 4. The Application Form may be signed by another person on your behalf if that person is a duly authorised director or a duly authorised officer of the company. The person of authority for a copy held by a solicitor must be included for signature.

A signature must also appear under the hand of a duly authorised officer, whose representative capacity must be stated.

INSTRUCTIONS FOR DELIVERY OF COMPLETED APPLICATION FORMS

Completed Application Forms should be returned to New Issues Department, Barclays Registrars, PO Box 166, Bourne House, 34 Beckenham Road, Beckenham, Kent BR3 4TH or delivered by hand only to Barclays Registrars, 170 Fenchurch Street, London EC3 or to Robert Fleming & Co. Limited, 25 Cophall Avenue, London EC2, in each case so as to be received not later than 10.00 a.m. on Wednesday, 23rd February, 1994. If you post your Application Form, you are recommended to use fast class post and to allow at least two days for delivery.

The minister who seeks out the company of angels

Enthusiasm is the key ingredient for any successful small business. And Lord Strathclyde, the new small firms minister at the trade and industry department, has enthusiasm in abundance — so he should be able to build on a natural rapport with those in the sector, be they bankers or local businessmen.

Lord Strathclyde, who was a Lloyd's broker before going into politics, has been four months in his new job, having moved from the environment department.

In his first major interview as small firms minister he told *The Times*: "I happen to have taken over at a watershed. There was clearly a time when anybody in this chair would have been listening to problems arising from the recession, but I simply have not been getting lenders like that. There has been a change in business sentiment, creating a more positive environment and atmosphere."

He went on: "Everybody's views towards small business have got to change because we are entering a period of immense opportunity, attended by low inflation and low interest rates. These are conditions we have not seen for 25 or 30 years. At the same time, those in business must also change, to be flexible and prepared to make the most of opportunities." Too many small businesses rely on overdraft finance rather than bringing in "patient" money by selling off some equity or by taking on long-term fixed-rate loans. The banks now offer a variety of packages that include such loans, Lord Strathclyde pointed out.

He noted the British predilection for overdrafts while most of Europe relies more on equity and fixed-term financing, and said: "I would like to see a whole variety of ways of financing small businesses — equity finance, bank finance and more from venture capital providers."

Since venture capital providers do not readily put up modest stakes for the young business, creating the so-called equity gap below about the £300,000 mark, Lord Strathclyde is keen for Training and Enterprise Councils to act as a focal point to attract "business angels" —

Lord Strathclyde, the small firms minister, tells Derek Harris of his hope for an exciting, productive summer

typically entrepreneurs who have sold an existing business, or who have left a big company with a lump sum and specialised knowledge.

The enterprise investment scheme introduced in the Budget should be another stimulus because it allows investors, while earning tax breaks, to take an active part in the businesses in which they are taking a stake.

Five TECs have already started pilot schemes to bring together angels and businesses in need of cash. At the same time Lord Strathclyde is pressing on with the department's initiative to create a chain of one-stop shops, known as Business Link, to bring all forms of local help for small businesses under one roof. Four Business Links are up and running under the aegis of local TECs in Birmingham, Leicester, Congleton and Macclesfield. Lord Strathclyde hopes to have 50 operational by the year's end.

He said: "My top priority with the Business Links is to make sure



Strathclyde: champion

they keep on delivering quality services in an integrated way. He sees the injection of the trade department's expertise as especially valuable. "It is important for smaller businesses to share in market intelligence, to know what contracts are going and what else is happening in a business sense in the local area."

Lord Strathclyde admits that the sort of co-operation and to an extent co-ownership that are involved in creating a successful Business Link will not be easy to achieve in some localities with entrenched separate interests. But he said: "The more successful Links that are established the more local business people will be knocking on the door and demanding to know when they will get a Link in their area."

Lord Strathclyde is relishing what he expects to be an "exciting summer" in the small business sector. Consultations are continuing among interested parties, from the Confederation of British Industry to small business organisations, on the problem of late payment. On small business financing there is Treasury study now proceeding while the DTI expects to bring out, probably after Easter, a new study of the structure of small business in Britain. The minister is monitoring closely Stock Exchange efforts to find a successor to the Unlisted Securities Market (USM) so small companies can trade shares readily and cheaply. He also acknowledges the alarm of some small firms over statutory sick pay.

He has cast himself as champion of small businesses because of their economic importance. In being the likeliest source of new jobs and new ideas, he said: "This is Britain's seedcorn for the future. It has been difficult for small firms in the early 1990s but even in the depths of recession 400,000 new businesses have been set up each year. We want to see these companies progress and to see how the Government can help them grow — how to go from employing ten or 15 people to 20 or 40, how to export better, how to buy goods and services within Britain."

One-time dealer finds her niche in the market



Nicola Harris, who spotted a gap in the overcrowded world of auction houses and antique dealers

Matching buyers to antiques

By CONAL GREGORY

SPOTTING a gap in the antiques and auction market is not easy. But Nicola Harris, a one-time dealer with auction room experience, thought she saw such a gap — to introduce busy collectors to dealers, galleries and auctioneers with the same speciality interests.

Mrs Harris came to Britain eight years ago from Cape Town. She combined day work as an assistant buyer at Marks and Spencer with evening antique hunting for a Saturday stall in London's Portobello Road. Soon she was

hooked on antiques and enrolled at Sotheby's for its one-year course on works of art.

Then she got a job with Bonhams, one of the leading London auctioneers. After working on the valuations counter at the Knightsbridge saleroom and a spell at the Chelsea branch, she moved to a more specialist role including media liaison.

She found that busy buyers, particularly those based abroad, did not know how to contact those dealers who traded in their collect-

ing area, or how to find which galleries should be visited, or when key auctions were due.

She set up the sourcing service last July after leaving Bonhams. She has been working from home, concentrating on contacting key hotels and travel agents, and has advertised through a London hotel guide and the newsletter of the Chelsea Women's Club, a route to Americans based in Britain.

She charges clients £130 daily plus expenses and also expects to share part of the dealer's commission.

BRIEFINGS

varying its business start-up programme to make participation easier for those with limited time, especially women with family commitments. For a limited period, it will be possible to join on a part-time basis, cutting the weekly commitment from 36 hours to 22. The basic elements of the scheme remain, including free training and counselling covering areas such as accounting and marketing. Mac Auld, who runs the pro-

gramme, said: "More than a third of the 400 businesses started in the area during [the TEC's] first year were set up by women." Those going on to set up in business may qualify for £22 a week assistance for 50 weeks. Enquiries: 0432 263950. A "Women into Business" day will be held on February 10.

Kidsnons Impey, the accountant, has produced a booklet, *Ten Golden Rules for Surviving the Recovery*, to help small firms avoid traps as business picks up (ES from Spectrum House, 20-26 Curstow Street, London EC4A 1HY).

Growth hit by skills shortages

SKILLS shortages are limiting the ability of smaller and medium-sized businesses to exploit the economic recovery that is now gathering pace. (Derek Harris writes.)

Coopers & Lybrand, Britain's biggest firm of business advisers, reaches this conclusion in the preliminary findings of a new survey of issues facing the 15,000 businesses accounting for a third of Britain's gross domestic product.

Patrick McHugh, a Coopers & Lybrand partner, said: "These companies know skills shortages are a real problem and are quite prepared to do something about it, but they are strapped for resources and need both direct and indirect support to allow them to deal with the problem." The survey found four out of five companies would like to see training as an allowable expense against tax.

Skill shortages are a particularly acute problem for the smaller companies, two thirds saying it is an issue for them. Nearly half (47 per cent) thought cost of training was a barrier to effective transfer of skills to help exploit technologies readily available.

Managers in smaller and medium-sized companies find it difficult to deal properly with time. Non-productive work such as administration and firefighting on day-to-day problems account for much of their time. Only 35 per cent of time was used productively, 20 per cent on strategic matters and 15 per cent on business development.

The full survey is expected to be published next month. Enquiries: 071-213 4880.



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The firm has long maintained and continues to enhance its outstanding reputation in the fields of corporate finance, mergers and acquisitions, venture capital and commercial law. The Company/Commercial Department remains aware of the need to provide an innovative and commercial response to instructions from its expanding client base. As a result of increased activity, especially in the fields of management buy outs and public acquisitions, we now require additional solicitors with 2-4 years' relevant experience. The Department places a premium on teamwork and "people" skills and you will be offered early exposure to clients.

A cornerstone of the firm's business, the Commercial Property Department continues to expand and build on its established reputation. The client base includes "household name" plc's, investors, developers and builders, local authorities and professional firms. The Department's increasing volume of instructions reflects the value its clients place on commercial advice and we seek additional lawyers who will contribute to its long term development. A technically adept lawyer with 2-4 years' high profile experience, you will demonstrate a strong, client orientated personality and be eager to play an active role.

The Banking Department is the fastest growing department in the firm and currently comprises four partners and nineteen other fee earners. Significant areas of practice include acquisition finance, property and project finance, capital markets and derivatives, and impaired value/distressed debt trades. We seek specialists with 2-4 years' experience of high calibre capital markets work and/or buy-out and other acquisitions finance related work. Increasingly busy, these areas are rapidly expanding and the Department needs lawyers with vision and ambition who can make an early impact and contribute to the long term development of the practice.

The Intellectual Property Group is establishing a reputation in advising high profile clients on the most appropriate and cost-effective means of protecting and exploiting intellectual property rights, both in the UK and internationally. It now seeks a litigator with 2-4 years' experience of disputes relating to patents, designs, copyrights, trade and services marks. You will be robust and commercial in your approach to dispute resolution and grasp the opportunity to play a key role in the Group's direction and development. A science background and familiarity with non-contentious aspects of intellectual property and commercial agreements will be an advantage.

For further information please write or contact:

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Alternatively, should you wish to discuss this advertisement in confidence, please contact

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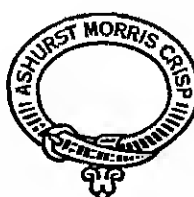
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The Club provides good working conditions in the City & can offer excellent career prospects & challenges for the right candidate. The salary for this position will be commensurate with ability & experience.

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On the Rebound

Changing jobs can be traumatic. Sometimes the trauma is unavoidable and there is little one can do. When the move comes after many years with the same employer, for instance, the inevitable culture shock can cause dissatisfaction, and the candidate may try several jobs before becoming settled.

It is a different story when the new job itself turns out to be a disaster. In these circumstances, candidates should exercise great care. Looking for a new position, they will be tempted to seek a refuge, a haven in which to recover. A commercial lawyer, for example, who had been denied partnership and who moved to another firm on the promise of equity, was shocked to find he had been misled. Not only was there no partnership offer, the work - what there was of it - was more suited to an articled clerk. Disillusioned with commercial practice he joined the CPS, which he now regrets. It will be difficult for him to return to private practice. In a similar case, a candidate went back to his original firm, seeking security in the old and familiar, and found - when he had recovered - that his position there was worse than it had been before he left.

If, after taking a new job, you find you have made a mistake, it is probably better to move on sooner rather than later. Making career decisions at such a time, however, is dangerous. Your judgement may be distorted. Caution will prevail over ambition. More than ever, you need to understand your motives and consult those whose advice you can trust.

Michael Chambers

For vacancies in INDUSTRY & BANKING

Capital Markets: City
Solicitor or barrister with 1-3 years' experience to join the legal dept of international bank. Experience of capital markets gained in private practice or industry would be an advantage.

Journalist: London
Solicitor/barrister with wide-ranging experience of journalism (not necessarily legal journalism) to join new legal magazine on full-time or freelance basis.

Commercial Lawyer: South East
Lawyer, with up to 2 years' commercial experience for leading communications co to handle range of company/commercial matters including UK and international contracts, JVs, acquisitions and disposals.

PRIVATE PRACTICE: LONDON & PROVINCES

London: David Jemyn, David Woolson. South: Yasmin Hossain. Midlands: Lauren Cochran. North: Alison Diamond.

GERMAN Litigation: Central London
Successful firm with strong & still-growing links with Germany seeks experienced litigator with fluent German to help develop German practice.

Employment: City
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Professional Indemnity: City
Highly successful niche insurance firm seeks 1-2 yr qual for def work for solicitors & architects. Genuinely friendly & "open" environment.

Commercial Property: City
Flourishing, prestigious firm offers 3-4 yrs qual solr, ideally with background with small/med-sized firm, wide ranging caseload.

Structured Finance/Securitisation
Several leading City banking practices are currently offering 4-6 yrs qual solicitors with relevant experience good partnership prospects.

Manufacturing: South East
Lawyer, 1-2 yrs commercial experience, to join small legal dept of specialist manufacturing company to handle commercial agreements, acquisitions & disposals, employment law, intellectual property.

Paralegal: London
Major international conglomerate requires ambitious young paralegal with relevant UK experience to handle the administration of legal documents and to assist the company secretary.

Hi-Tech: South East
Contracts Executive c5 yrs' IP experience, ideally gained in the IT industry, to handle licence agreement negotiation and software distribution arrangements for specialist division of international hi-tech co.

Partnership Positions...

We have been placing partners (both salaried and equity) for 20 years. We recognise the critical importance of confidentiality and are only too happy to phone you at home.

Corporate Partner: City
Building on previous successful lateral hires, med-sized firm seeks further corporate partner.

Personal Injury: South Coast
Plaintiff personal injury sol, 4-5 yrs qual, with industrial diseases experience for major firm.

Intellectual Property: West Midlands
IP litigator with biotech background sought by top firm, highly regarded in the field.

Personal Injury: Partner Designate
Major North of England firm seeks senior defendant pl solr. £30-40,000 + car.

Child Care: Hertfordshire
Family/child care specialist, 3-4 years qual, for firm noted for its child care expertise.

TAX EFFECTIVE REMUNERATION

CLIFFORD CHANCE need additional lawyers to join their team specialising in tax effective remuneration. The work requires a thorough understanding of tax, trust, corporate and commercial law.

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We are looking either for lawyers experienced in relation to share incentive schemes, ESOPs, FURBS, profit related pay, deferred remuneration plans, national insurance planning and international share schemes or for lawyers with little or no direct relevant experience in this field but who have an excellent academic record and would like to become employee benefits tax practitioners.

Please write to or telephone:

David E Reid

200 Aldersgate Street
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Telephone: 071 600 1000

FAX: 071 600 5555

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PROPERTY - AN EYE TO THE FUTURE

Our Property Department, comprising 11 partners, 16 assistants and 6 trainees, is enjoying a steady increase in new instructions from active property investors. We are now poised to expand further and seek an assistant to join us when we move to our new City location in March 1994.

If you:

- are excited by the opportunity to handle excellent quality work as part of a friendly and well structured team, servicing primarily institutional clients (including major pension funds, banks and life assurance companies), with a mix of work for developers and day to day commercial property advice;
- are 1 to 3 years qualified and currently with a City or equivalent practice;
- have an excellent knowledge of basic property law, especially landlord and tenant, coupled with a practical, commercial approach; and
- thrive on handling your own caseload and working closely with clients.

please contact our Consultant, Jonathan Brenner, on 071-377 0510 (071-226 1558 evenings/weekends) or write to him at Zarak Macrae Brenner, 37 Sun Street, London, EC2M 2PY. Confidential fax 071-247 5174.

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ZMB

MACFARLANES

Now a firm of 44 partners, Macfarlanes is poised for expansion in a number of key areas. The quality of its UK and international client base requires lawyers of the highest calibre and provides opportunities for responsibility and involvement in a range of demanding transactions.

The busy Company Commercial and Banking Department is seeking to recruit four assistant solicitors. Each should have a strong academic record, good communication skills and a "can do" positive attitude to problem solving for clients. About two years' post-qualification experience is sought in one or more of the following areas:

Corporate

Transactions including share and asset acquisitions and disposals, equity investments and issues and Stock Exchange and Takeover Code work.

Banking

Mainstream banking work (acquired in a blue chip banking firm) including acting for lenders and borrowers and preferably with some insolvency/debt restructuring experience.

Employee Benefits

Employee benefits work acquired in either a City firm or employee benefits consultancy covering approved and unapproved share option schemes, ESOPs, EBTs, PRP and other employee benefit and pay arrangements.

Investment Funds and Financial Services

Funds work (both offshore and onshore) including a working knowledge of the structural and taxation issues, together with experience of financial services matters and the rule books.

For further information in the first instance, please contact our recruitment consultants, Jonathan Macrae or Sally Horrocks at Zarak Macrae Brenner on 071-377 0510 (071-226 1558 evenings/weekends) or write to them at 37 Sun Street, London EC2M 2PY. Confidential fax 071-247 5174. Partners in each of these areas are also available to deal with any specific enquiries.

ZMB

JUNIOR CORPORATE LAWYER 1-2 YEARS QUALIFIED

Our Client, a leading medium sized City practice, has expanded strategically in recent years and consequently provides an impressive all round range of services which extend beyond the traditional core areas.

A vacancy exists in the Corporate Group for a 1-2 year qualified assistant solicitor. The successful candidate will have an excellent academic record and will have acquired experience in a top flight City practice of a range of corporate work, including mergers and acquisitions, venture capital transactions, corporate restructuring and joint ventures. Experience of flotations and Yellow and Blue Book work would be an advantage.

Our Client's Corporate Group is growing and this represents an excellent opportunity to join a close knit specialist team and to enjoy the sort of exposure to quality work and high profile clients that few other firms can offer assistants at this level.

For further information in complete confidence, please contact Jonathan Brenner on 071-377 0510 (071-226 1558 evenings/weekends) or write to him at Zarak Macrae Brenner, Recruitment Consultants, 37 Sun Street, London EC2M 2PY. Confidential fax 071-247 5174.

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COMPANY/COMMERCIAL 1 to 4 years qualified to £50,000

Medium sized City firm with an established international presence requires an additional assistant solicitor who wishes to handle predominantly corporate finance for public and private companies. Clients are varied and include multinationals through to owner managed, entrepreneurial private companies. The firm encourages senior assistants to develop their own client base.

COMMERCIAL CONVEYANCING Partner Designate to £100,000

Niche City firm with a successful policy of integrating senior individuals into the firm requires either a senior assistant or a partner to join the current Property Department of 2 partners. The firm is witnessing a substantial increase in development, institutional and corporate support work. A small following (£50,000+) is required to demonstrate marketing/sales making abilities. Extremely profitable practice.

COMMERCIAL LITIGATION 2 to 5 years qualified to £50,000

A large law practice with an established client base seeks two assistants, one to advise on general commercial litigation in libel and soft intellectual property; the other to advise high net worth individuals on high profile commercial claims, trust disputes, and some civil litigation. Candidates for either role should be confident, self-motivated and have good academic backgrounds. Genuine medium term partnership prospects.

COMPANY/COMMERCIAL Newly Qualified to £26,000

Gaining a strong reputation for its commercial work, this small City practice is now keen to build on its recent expansion and recruit a young, dynamic solicitor to handle good quality corporate work. Candidates must have an excellent academic background and at least 12 months training during articles in company/commercial work at a major City practice. Only solicitors qualified in September 1993 or March 1994 need apply.

INSURANCE LITIGATION Partner Level

Rapidly expanding City based firm with a first rate reputation for its insurance work seeks a high flying individual at a senior assistant or partner level. The firm is currently particularly interested in candidates with expertise in property based indemnity work (reconstruction, surveying, building). It is anticipated that the ideal individual will also have some following. Excellent opportunity to join this, young, progressive practice.

COMPANY/COMMERCIAL Partner level

Long established small City practice, committed to partner level service to commercial clients require a partner who has strong client contacts and a definite following. Ideally, you will have a highly commercial outlook but will also recognise the scope and have an aptitude for practice development work. Immediate partnership is envisaged for the right candidate.

EMPLOYMENT 4-6 yrs qualified London/Birmingham

This national commercial practice with a first rate reputation is now seeking a dynamic, capable senior employment lawyer. Work will be primarily contentious but may include some non-contentious matters. The client-base at this practice is second to none and candidates should note that this is a long term career move to a practice that is rapidly establishing itself as a market leader.

BANKING 1 to 5 years qualified to £65,000

A large City firm with national and international offices seeks three solicitors to join its busy Banking Department. The firm advises on a broad range of secured lending both single bank and syndicated, project finance and trade finance. Acting for both lenders and borrowers. Senior applicants with a part following would also be considered.

Please contact Helen Wynn-Jones, Nicholas Robbins or Gavin Crocker on 071-628 8400 (or 081-882 8450 evenings/weekends) or write to them at Garfield Robbins, Moor House, 119 London Wall, London EC2Y 5ET. Confidential fax: 071-628 9001

Michael Page Legal

PRIVATE PRACTICE

COMMERCIAL LITIGATION City - to £45,000

Leading City firm is currently seeking lawyers with 2-5 years post qualification experience in commercial litigation. Candidates should have broad based generalist experience and good qualifications. Work load is guaranteed to be diverse, with a great deal of responsibility and autonomy required. Dynamic team with excellent prospects.

INSURANCE/REINSURANCE City - to £38,000

Commercial Litigation team which has gained a first class reputation for its work in the insurance and reinsurance market. They are now taking applications from promising solicitors with between 1 and 3 years post qualification experience. You must have solid grounding in contentious insurance work and be able to handle large, complicated caseloads.

INDUSTRY AND COMMERCE

TELECOMS C London - £65,000 + Bens

Dynamic, global telecommunications operation seeks exceptional corporate lawyer with telecom or hi-tech experience to join its legal team. The successful candidate will have a minimum of 10 years' exp, strong team working leadership skills and be highly motivated. Excellent prospects.

COMPANY COMMERCIAL Midlands - c £40,000 + Bens

Highly regarded plc based near Birmingham now seeks a bright company/commercial lawyer with a minimum five years' exp from within industry or private practice. Broad range of company/commercial experience spanning all types of commercial agreements, general company work, IP and EC required to join the existing legal team.

For further information on these or any other positions, please contact the consultants concerned (both of whom are qualified solicitors) on 071-511 2000 or write to them at Page House, 10-11 Parker Street, London WC2B 5LH. Fax: 071-511 6062.

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INDUSTRY
Contact: Susanne Vahl BSc (Hons)
PRACTICE
Contact: Sarah Gore BA, LL.B

TELECOMMUNICATIONS LAWYER

The work of our computer and communications group has expanded significantly in recent months in the UK, Europe and Asia. Accordingly, we now wish to appoint an additional lawyer with one to three years' post qualification experience in telecoms regulatory as well as transactional work.

Experience and knowledge of the telecoms industry and its regulation in the UK is requisite and additional knowledge of other jurisdictions preferable. In addition, applicants must have a strong academic background, first class communication skills and the ability to work as part of a team. Working experience to date should have been with an organisation within the industry or a firm in private practice with an established expertise in the telecoms field.

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Please write with career details to:

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LAW

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It is time to allow research into how verdicts are reached, argues Stephen Cretney



The law currently insists that jurors remain faceless and nameless to maintain confidentiality and protect them from being harassed

Juries tried - and tested

The Lord Chief Justice, Lord Taylor of Gosforth, has sounded a note of caution about the proposal by the Royal Commission on Criminal Justice to allow research into juries and their verdicts.

The proposal sounds innocuous but carries grave risks, he has said. Should such a scheme be introduced, it would have to be monitored carefully by the Lord Chancellor, and preferably conducted by his department.

Giving the Tom Sargent memorial lecture, Lord Taylor said it was of fundamental importance that the confidentiality of jurors' names and addresses was preserved. He urged vigilance in ensuring that members of the public, when performing "one of their most important civic duties", do not feel their well-being or that of their families was put at risk by "unwarranted disclosure of personal information to third parties".

His comments were in response to the commission's proposal that the Contempt of Court Act 1981 be amended so that "informed debate can take place rather than argument based only on surmise and anecdote". Specifically, the Commission proposes that once the Act has been amended, research should be conducted into the influence that jurors with criminal records may have on jury verdicts.

None of this sounds contro-

versial. Who, after all, could be against "informed debate"? One is left with the feeling that the rule which makes it illegal for *bona fide* researchers to seek any information about what went on in the jury room must have been enacted without any awareness of the implications — or that the decision to stifle empirical observation and research is yet another manifestation of illiberal government imbued with the pervasive Whitehall culture of secrecy.

This is very plausible — but completely untrue. The reality is that the Government's original draft of the Contempt of Court Bill contained what the opposition spokesman Lord Elwyn-Jones described as a "skillfully drafted clause" designed to achieve precisely the result now recommended by the Royal Commission: on the one hand, jurors were to be protected from being harassed by disappointed litigants or by the sensationalist press, but on the other, academic and other researchers dealing with gen-

eral issues about jury trials and reaching verdicts were to be allowed safely to pursue their legitimate studies.

The reason why the law is now different is because the potential impact of the Government's proposals led to a mounting chorus of dismay as the Bill passed through Parliament, and eventually the Government was defeated on a division. Those who came to oppose the Government's proposal included Lord Lane, then Lord Chief Justice; Lord Scarman; Lord Edmund-Davies; at least one former Lord Chancellor; the solicitor Lord Mishcon; spokesmen of the Liberal and Labour parties in both Houses, with support from the Senate of the Inns of Court and by the Criminal Law Bar Association.

So the ban on research is not the fault of an illiberal Government or secretive Civil Service; it is the result of a rare manifestation of parliamentary democracy. It is true that some of the unease arose from concern that to allow any

exception to the secrecy of the jury room might lead to the publication of sensational accounts about a jury's deliberations in a particular trial; and there was concern that jurors should be protected from the risk that outside interrogators would be hovering and might prove insatiable in their quest for information.

No doubt it would be possible to meet these legitimate concerns by a more precise definition of the kind of research which would be permitted or forbidden. But there was also an undercurrent of hostility to the notion of research into the decision-making process: the purpose of the research, so it was said, would inevitably be to discredit the system — "Our dear professors", said Lord Hutchinson of Lullington, "are not going to spend hours and hours and months and months of their time in establishing that indeed the jury is the lamp that shows freedom still lives."

Concern that such enquiries would in the end destroy

confidence in trial by jury was also widely voiced.

It may be that the climate of opinion has now changed, and that there is today a broader appreciation of the benefits which can flow from well-conducted research.

Jury secrecy may be historically founded on the notion that trial by jury, like the trial by fire and water which is supplanted, works in a mysterious way and that to pry into a verdict would be as impious as questioning the judgments of God, but there may now be very pressing reasons to permit some kind of active research into the jury's decision-making process. Yet it seems likely that some sensitivity about revealing the reality of corporate decision-making processes will go on — at whatever level in the legal system they are made, whether among a bench of lay magistrates, a panel of five lay lords, or a jury of 12 ordinary citizens.

It seems a pity that the Royal Commission ignored the background to the existing law and did not choose to refute the arguments which had weighed so powerfully with Parliament in 1981.

● The author is Professor of Law at Bristol University

Is the Government taking the law into its own hands?

The Deregulation and Contracting Out Bill seeks to empower ministers to make orders which would amend or repeal legislation on subjects as diverse as building societies, betting shops and slaughterhouses. The manner in which the Bill aims to cut red tape should make constitutional lawyers see red.

Pressure on parliamentary time, the growing technicality of legislation, and the increasing anxiety of government to make life easier for itself encouraged the development early this century of statutory provisions which conferred powers on ministers to amend or repeal other Acts of Parliament. Critics called such powers "Henry VIII clauses", after the Statute of Proclamations, 1534, which enabled the king to legislate by decree.

In 1929, the Lord Chief Justice, Lord Hewart, wrote *The New Despotism*, a book which exposed the legislative process to confer excessive powers on ministers. As Hewart's biographer explained, this caused surprise and anger among those with whom he had worked when Attorney-General. They "alleged that when they had asked Hewart's advice as between a more bureaucratic and a less bureaucratic course, he had habitually advised the former".

Nevertheless, the Donoughmore Committee on Ministers' Powers was appointed to consider the manner, its distinguished and diverse membership included a political philosopher (Harold Laski), a legal historian (Sir William Holdsworth), the Permanent Secretary to the Lord Chancellor (Sir Claud Schuster) and a future Lord Chancellor (Gavin Simonds). The committee recalled that it had "invited the Lord Chief Justice to give evidence, but he replied that as we had read his book and he had at present nothing to add to it, he did not think he could be of further assistance".

The Donoughmore report, published in 1932, concluded that Henry VIII clauses were "inconsistent with the principles of parliamentary government" and "should be abandoned in all but the most exceptional cases", which were confined to powers conferred for the purpose of bringing an Act of Parliament into operation. Until 1945, the Government complied. More recently, ministers have been unable to resist the temptation to give themselves broad powers to alter the law of the land. Henry VIII clauses have been enacted in a variety of legislative contexts, from local government to social security.

Last year, the Hansard Society Commission on the Legislative Process, chaired by Lord Rippon QC, published a report which

expressed its concern about the use, and abuse, of Henry VIII clauses as a device to avoid effective parliamentary scrutiny of changes in the law. The commission, whose members included a Lord of Appeal and a former First Parliamentary Counsel, decided that "Henry VIII clauses are, of their nature, undesirable. Unless absolutely necessary, a single minister should not be given power to change the law made by Parliament as a whole."

Judicial dissatisfaction with a legislative technique that confers such broad powers on ministers led the Appellate Committee of the House of Lords to state in a 1991 decision that "a power to modify the provisions of a statute should be narrowly and strictly construed". Similar concerns within the House of Lords led to the appointment of a Select Committee on the Scrutiny of Delegated Powers, which publishes valuable reports on proposed legislation, identifying and criticising Henry VIII clauses.

The Deregulation and Contracting Out Bill contains an extreme version of a Henry VIII clause. Ministers would be given the power to amend or repeal any other statutory provision which they consider imposes unnecessary burdens on a trade, business or profession. Because the Government recognises the constitutional objections such a proposal inevitably provokes, the Bill includes special procedures for the consideration of any Order made by a minister in the exercise of these powers. He must consult. He must lay before Parliament a document explaining the contents of the



COUNSEL
DAVID
PANICK QC

Order. After Parliament has had the opportunity to consider the manner for 40 days, the Order would be effective only if it is approved by an affirmative resolution of each House of Parliament.

This procedure will not remove concern that ministers are seeking powers whose application will not be subject to effective parliamentary scrutiny. The special procedures are no substitutes for the various parliamentary stages through which a Bill must pass before it is enacted. If, as the Government suggests, the powers would be used only in uncontroversial cases, it is difficult to understand why a short Bill containing the substantive reforms could not be presented to Parliament for proper consideration and, if appropriate, assent.

When government suggests that it is an unnecessary inconvenience for it to have to present proposals for law reform for the approval of Parliament in the traditional way, constitutional lawyers should lead the opposition.

● The author is a practising barrister and a Fellow of All Souls College, Oxford

The benefits of reaching a sound verdict

A lawful way to discover how juries behave and how they reach their verdicts has been pioneered by one of Britain's leading experts on the jury system working with a research physicist.

A so-called "sound-shape system" would allow researchers to hear the sound of talking but not the words. From this, they will be able to tell how important the foreman or woman is, what contribution women jurors make, whether the old speak more than the young, if men interrupt the most, the development of group leaders and factions, the sounds of argument, the rise of the dominant figure, and the

Much can be learnt by analysing how jurors react in case debates

point at which the verdict is made, or how a jury is forced into a majority verdict.

Dr Paul Robertshaw of the University of Wales Cardiff Law School, who developed the scheme, admits his priority is to have contact with jurors declassified.

It is a criminal offence to talk to jurors about their deliberations or discuss what happens in a jury room. Therefore, lawyers and academic researchers in the UK have little or no insight into the jury culture. There is no research, for

instance, on jury stress or fatigue and their consequences. This is particularly important in the increasing number of highly emotive cases such as the James Bulger trial. Psychologists have been able to look at the effects of such trials on almost everyone in the courtroom, except the jury.

Dr Robertshaw, whose paper on the sound-shape experiment, carried out with physicist Michael Greenough, has just been published, says: "We have tested the system and it works. The

only signals which come out of the jury room indicate for each member whether he or she is speaking loudly, moderately, softly or not at all.

"I believe the recommendation of the Royal Commission should be implemented. There is a great deal we need to know about juries which may lead to improvements in the system."

Since the Contempt of Court Act 1981 was passed there has been only one serious breach in which the Mail on Sunday was fined £60,000 for publishing an article in which interviews on jurors' political opinions were disclosed.

ROGER DOBSON

Irrational approach

A RECENT ad in *The Independent* made Inner Temple's search for a new sub-treasurer look very up-to-the-minute: it even renamed the post "chief executive". But a closer reading of the text revealed a different story, stating that the successful candidate "will not show marked communication skills, a sound grasp of figures, a rational approach to organisation and ability to deal appropriately with the widest range of people".

Patrick Sheehan, the retiring sub-treasurer, says: "I have had a lot of stick over it but happily it was not our fault." The newspaper, he

says, had re-typed the advertisement and inadvertently inserted the wayward "not".

Star turns

SOAP stars may not give a sausage about going to court, except when it ends up costing them half a million in legal fees and a welter of unfortunate publicity. But parties at war now have another option. Six enterprising media law firms have set up Media Dispute Resolution.

Brian Eagles, of S.J. Berwin, a founding member, says: "This specialist service

can save a project. If someone walks off set, one of our mediators can be called in within 24 hours — which is better than stopping filming while the issue drags through the courts."

Flight decked

THE Attorney-General's recent visit to the British Virgin Islands nearly foundered on the hazards of Caribbean travel. Sir Nicholas Lyell was chairing a conference of attorneys-general of the dependent territories, to plan a programme of law revision and in particular

to improve regulation of the growing off-shore financial services sector.

However, Sir Nicholas's journey from Montserrat to St Lucia was delayed while goats were removed from the runway to enable the six-seater Montserrat Airways flight to take off.

His party should have made the second leg, from Antigua to St Lucia, in 55 minutes on a BWIA jet, but the flight was cancelled without warning.

Fortunately, ministerial aides jangled the airline into chartering the six-seater and the British pilot Kay Kingsley volunteered to fly Sir Nicholas against a tight deadline (torch in mouth to plot a route on the charts closed her) before the airport closed for the night. The party arrived with five minutes to spare.

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Assignee need not repay advance

Pan Ocean Shipping Co Ltd v Creditcorp Ltd
Before Lord Keith of Kinnaird, Lord Goff of Chieveley, Lord Lloyd, Lord Slynn of Hadley and Lord Woolf

[Speeches January 27]
Where a right to receive payment was assigned as part of a financial arrangement to a third party, the assignee was not obliged to repay an advance payment because of the non-performance of an event for which the assignee had no responsibility.

The House of Lords held dismissing an appeal by the charterers, Pan Ocean Shipping Co Ltd, from the decision of the Court of Appeal (*The Times* January 28, 1993) who had allowed an appeal by the assignees, Creditcorp Ltd, from the ruling of Judge Dorman, QC, sitting as a High Court judge, that the charterers were entitled to recover from the assignees advance payment of hire under a charterparty because the hire was subsequently not earned.

The charterers were seeking to recover an instalment of time charter hire paid by them to Creditcorp as assignees from the owners of a vessel. The assignment had been part of an arrangement under which Creditcorp made finance available to the owners.

The charterers sought to recover the money from the assignees on the ground of total failure of consideration, since the vessel had been off-hire for the entire period for which the relevant hire instalment had been paid.

Mr Jonathan Hirst, QC and Mr Thomas Adams for the charterers; Mr Angus Glenne, QC and Miss Karen Maxwell for the assignees.

LORD WOOLF said that Mr Hirst submitted that where a person received, as of right, a payment in advance, it was liable to be repaid if the payment was not earned, since it was a condition of retaining the payment that the consideration for which it was paid was provided.

He contended that if there had been no assignment, the charterers would have had both a contractual right to repayment and a right of restitution against the owners. Mr Hirst relied on a number of cases which did not really provide any direct assistance.

It was one thing to require the other party to the contract to repay if the consideration was not provided, but it was another to make the assignee who was never intended to be a party to the contract liable to make repayment.

It was conceded that there was no right to trace money which was paid to an assignee and there was never any question of the assignee preventing him dealing with the money as his own. There was no justification for subjecting an assignee, because he had received payment in advance, to an obligation to make a repayment because of the non-performance of an event for which he had no responsibility.

If the charterers were entitled to recover from the assignees, the consequence would be that they would have two different parties instead of a single party to whom they could recover: on Mr Hirst's argument, against the owners under the contract and against the assignees for money had and received.

It was equally possible to frame a different fundamental question. Why should the charterers have two alternative parties to whom to look for a repayment merely because the owners as part of their financial arrangements, have assigned their right to receive payment to a third party, the assignees?

Lord Goff delivered a concurring speech and Lord Keith, Lord Lloyd and Lord Slynn agreed.

Solicitors: Sinclair Roche & Temperley; Lawrence Graham.

Regina v Central Criminal Court, Ex parte Guney
Before Lord Justice Ralph Gibson and Mrs Justice Smith
[Judgment January 27]

A surrender into custody occurred when it was made known to the defendant that surrender was required and, in response to that requirement, the defendant surrendered to or put himself at the direction of the court or an officer of the court.

Further, as it was possible in law for an arrangement to take place without surrender of the defendant to the custody of the court, it followed that an agreement between counsel appearing on the arraignment to the effect that surrender was lawful and consistent with the ordinary and proper conduct of proceedings by counsel.

The Queen's Bench Divisional Court so held when refusing the application by Ramadan Guney, a surety for Mr Asil Nadir, for judicial review of the decision of Mr Justice Tucker on July 30, 1993 to order forfeiture in the sum of £650,000 of his recognisance entered into in the sum of £1 million.

Mr Edmund Lawson, QC and Mr Russell Houston for the applicant; Mr Robert Owen, QC, Mr David Calvert-Smith and Miss Catherine McGahey for the Serious Fraud Office.

LORD JUSTICE RALPH GIBSON said that the applicant, who stood surety in the sum of £1 million for Mr Asil Nadir when the latter was charged in December 1990 with offences of theft and false accounting, had been ordered on July 30, 1993 by Mr Justice Tucker to forfeit his recognisance in the sum of £650,000, to be paid within six months and with a term of two years imprisonment in default, after Mr Nadir's flight to Northern Cyprus on or before May 4, 1993.

The applicant claimed, *inter alia*, that Mr Justice Tucker's order was made without jurisdiction on the ground that any obligation under the recognisance had as a matter of law come to an end on June 22, 1992 when Mr Nadir, upon being arraigned before Mr Justice Tucker and pleading not guilty to the indictment, surrendered to the custody of the court.

The hearing on June 22, 1992 was or became a preparatory hearing under the provisions of the Criminal Justice Act 1987. In accordance with section 82(2) of that Act the arraignment took place forthwith. Mr Justice Tucker requiring Mr Nadir and his co-defendants to stand up. They did so in the places where they had been sitting, there being no dock in the court. After the entry of "not guilty" pleas, the defendants returned their seats and the hearing moved on to other matters.

There was no mention of the position of Mr Nadir with reference to bail or custody save between counsel for Mr Nadir and the SFO who agreed that it was not necessary for Mr Nadir to surrender to the custody of the court as otherwise, before he could have been released, it would have been necessary for the court to consider the terms of any further bail which should have been granted.

Mr Justice Tucker was not informed of that agreement between counsel and had not been required to surrender to the custody of the court.

His Lordship would reject the application so far as based on the jurisdiction point because the purposes of arraignment could be fully served without injustice or risk of injustice to the defendant if the defendant pleaded to the indictment without being required to surrender to the custody of the court; indeed, were it possible in law to arraign a defendant without requiring his surrender, it would be both convenient, as in Mr Nadir's case, and saving of court time and costs.

Such a rule would moreover, in his Lordship's judgment, give rise to no risk of injustice to sureties as a surety did not know, unless he made it his business to find out, when a defendant would be required to attend court in order to surrender to its custody.

Thus there was nothing contrary to law, or the ordinary and proper conduct of proceedings by counsel, in the agreement between counsel at Mr Nadir's arraignment to the effect that he should not be required to surrender to the custody of the court.

It would have been better, however, if Mr Justice Tucker had been

informed of the agreement on the principle that the judge should know what was agreed and so that it could have been recorded.

In his Lordship's judgment, a surrender to custody occurred when it was made known to the defendant that surrender was required and when, in response to that requirement, the defendant surrendered to or put himself at the direction of the court or an officer of the court.

The fact that Mr Nadir stood up at the request of the judge in order to be arraigned was not necessarily to be treated as a surrender or his putting himself at the direction of the court. If he had attempted to leave at that point, no doubt he would have been at once required to surrender to the custody of the court.

But the agreement between his counsel and counsel for the SFO was effective to make it plain, in the circumstances, that Mr Nadir had not surrendered: it caused Mr Nadir to know that he was not required to surrender.

Mrs Justice Smith agreed.

Solicitors: Kaim Todner, Walworth; Serious Fraud Office.

Re-amendment of claim to save case

Burton and Another v MBC (Builders-Ashington) Ltd and Another
Before Lord Justice Mann, Lord Justice Hirst and Sir Michael Kerr
[Judgment January 27]

In the absence of any suggestion that the defendants would be prejudiced by so doing, it was appropriate to allow amendment of further and better particulars of an amended statement of claim so as to allow re-amendment of the statement of claim where such a course would prevent an apparently meritorious claim from proceeding.

The Court of Appeal so held dismissing an appeal by MBC (Builders-Ashington) Ltd and Another (collectively "MBC") (Builders-Ashington) Ltd against the dismissal by Mr Recorder Lewer, sitting as official referee on November 11, 1992, of their summons to strike out claims made against them in the amended statement of claim of the plaintiffs, Donald and Sylvia Burton.

Mr Ian Crawford, QC and Mr Tom Lowe for the appellants; Mr Guy Anthony for the respondents.

LORD JUSTICE MANN said the first defendant, a firm of builders, had built a bungalow on a site owned by the second defendant, a property developer. Both companies were under the control of a father and son. The plaintiffs had bought the bungalow from the second defendant but the site suffered from subsidence and the

bungalow needed to be rebuilt.

The plaintiffs served a writ alleging breach of duty to use reasonable care and skill in building the bungalow and breach of duty to investigate the land on which it was built. An amended statement of claim followed in March 1990 which pleaded that the first defendant owed a duty to the eventual purchasers of the bungalow to use reasonable care and skill and competence, and the second defendant a duty to the plaintiffs to investigate and examine the land to ensure it was suitable.

The draftsman of the pleadings must have had in mind the House of Lords decision in *Anns v Merton LBC* [1978] AC 728 under which economic loss as exemplified by acquisition of a defective building was recoverable in a wide range of circumstances against persons whose acts or omissions could be said to have caused the loss.

The amended statement of claim also alleged that the second defendant was in breach of an express warranty under a house purchasers' agreement that the property was built in an efficient and workmanlike manner and of proper material and so as to be fit for habitation.

The defendants had requested further and better particulars of that allegation and the plaintiffs' former solicitors had replied in June 1991: "It is not alleged that the second defendant is liable under the warranty contained in the house purchase agreement." The

abandonment of that claim was puzzling; the more so because the House of Lords in *Murphy v Brentwood DC* [1991] 1 AC 398 had swept away the possibility of recovering pure economic loss in tort in the absence, as here, of a relationship of proximity.

The defendants had invited the plaintiffs to abandon their action. The invitation had been ignored but the plaintiffs had changed solicitors and counsel.

The defendants had then sought to strike out the plaintiffs' claim by way of summons. The plaintiffs in turn had sought liberty to re-amend the statement of claim and the further and better particulars of the amended statement of claim, so as to allege liability under the conditions of sale and the house purchasers' agreement.

Mr Crawford had argued that the amended statement of claim alleged particulars disclosed no cause of action and the re-amendment could not be allowed because the limitation period had expired. The amendment to the particulars was tantamount to the withdrawal of an admission and ought not to be allowed without an explanation as to how it had arisen.

Mr Anthony had argued that the court ought to consider first the application to amend the further and better particulars, then the application to re-amend the statement of claim and finally the application to strike out. He had argued that the court had discretion to allow the particulars to

be amended, because that was at most the withdrawal of an admission. That done, the re-amendment of the statement of claim could also in discretion be allowed.

His Lordship agreed that amendment of the particulars should be addressed first. There was no suggestion that rectification of that mistake would cause any prejudice to the defendants, nor was there an estoppel.

The judge had been right to hold that he had jurisdiction to allow the amendment and he had rightly allowed it. The re-amended statement of claim would then arise from the precisely the same facts as the amended statement of claim and the re-amendment could be allowed.

SIR MICHAEL KERR said the unusual situation was that an apparently meritorious claim was in danger of foundering because of an unfortunate combination of a pleading error and a change of course in the House of Lords from *Anns v Merton* to *Murphy v Brentwood*.

That combination of events had presented the defendants with a procedural windfall without other intrinsic merit. There was no question of any prejudice to them. In such circumstances it was the duty of the court to do anything within its powers to ensure that procedural technicalities did not defeat potential substantial merits.

Lord Justice Hirst agreed.

Solicitors: Drysdale & Jones, Southend; Merricks.

Good reason for change in a church

In re St Mary's Church, Eling

There had to be a good and adequate reason for any change to a church proposed by petitioners seeking a faculty from the consistory court for a re-ordering scheme to the interior of that church.

However, the test of whether any change would adversely affect the character of the church might be too strict, for a faculty then could only be granted where a necessity for change had been proved.

The Chancellor, Mr Christopher Clark, QC, so held in Winchester Consistory Court, on November 17, when granting a faculty sought by the incumbent and the two churchwardens of St Mary's Church, Eling, for various works of interior re-ordering.

Correction

In *R v Sofihull MBC, Ex parte Simpson* (*The Times* January 5) the paragraph near the top of the final leg beginning "Regulation 7(b)..." should have read:

"Regulation 7(b) exempted from the exclusion of arrangements appearing to the authority to take advantage of the benefits scheme a person who, for example, was a sitting tenant upon whom a rent increase designed to take advantage of the scheme had been imposed."

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Fraud: a losing battle?

Frances Gibb on
the background
to the Times
forum on fraud

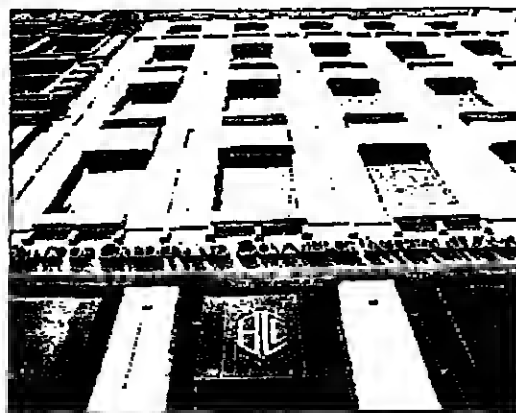
Is complex fraud becoming too big for the legal system and regulators to handle? The public view is that fraudsters too often seem to get away with their crimes. But lawyers, too, are criticising existing systems. The Serious Fraud Office, in particular, set up in 1987 to investigate and prosecute complex fraud, has become a target of attack in the wake of a series of spectacular failures or non-results (Blue Arrow, Roger Levitt, Asil Nadir).

David Kirk, who heads the fraud unit at Stephenson Harwood, a City law firm, spoke recently of a failure factor at the SFO which "appears to have had a draining effect" and "to have caused it to lose courage". The SFO was "acquiring a reputation for accepting almost any plea, on almost any terms, to avoid the rigours of a trial".

Now the future of the SFO itself is under review. Sir Nicholas Lyell QC, the Attorney-General, has set up a Whitehall scrutiny to look at whether the right framework exists. Should the SFO continue as a separate body, be brought under the wing of the Crown Prosecution Service, or be strengthened to take on all the fraud investigation work of the CPS?

It is not just the SFO which is under fire. Research for the Royal Commission on Criminal Justice last year concluded that there was much doubt inside and outside the City about whether the self-regulatory bodies are ready yet to take disciplinary action when they find fraud, while others propose that the regulatory bodies be given a bigger role.

The debate arises from growing concern over how best to tackle corporate fraud. The scale of the problem is vast: last month, Ian Huntington, the head of fraud investigation at KPMG, cited new figures showing the total had risen from £637 million in 1992 to £704 million. Trials are equally costly: the Blue Arrow trial, which lasted more than a year, cost the taxpayer between £35 million and £40 million; the Guinness cases ran to more than £25 million. The trials were preceded by costly Department of Trade and Industry enquiries.



Above: left, Asil Nadir and, right, a London branch of the collapsed BCCI bank; below: left, the Blue Arrow logo and, right, Roger Levitt, the financier left, Neil Hamilton, the corporate affairs minister and, right, George Staple, director of the Serious Fraud Office



The enquiries into Blue Arrow ran up £35 million. After the second Guinness trial collapsed, Mr Justice Henry, the trial judge, called for radical action to be taken. He said: "We must find a cheaper and quicker way of dealing with serious fraud trials."

A number of measures are being looked at. Next month, at a forum organised by The Times and the Law Society (see right), speakers including Neil Hamilton, the Corporate Affairs Minister, and George Staple, the SFO's director, will outline their own proposals. Other speakers will deal specifically with the problems faced by those — solicitors, auditors and bankers — in the front line. The Government plans new, controversial

legislation which will oblige auditors of financial institutions to become whistleblowers. They are to be placed under a statutory duty to report irregularities immediately they have suspicions about their clients in banks, building societies or other financial bodies.

Already, the professions are voicing their concerns. James Bagge, a partner at Norton Rose, the City law firm, specialising in fraud investigation, said that such increased obligations on accountants and lawyers to report on clients "must produce conflicts of interest with their duties and obligations to clients imposed by their professions or by statute."

COMBATING CORPORATE FRAUD THE TIMES / LAW SOCIETY forum

COULD the spectacular series of corporate frauds of recent years have been prevented? What can the authorities do to ensure that no scandals similar to the Guinness, BCCI and Maxwell affairs ever happen again? And is it fair to expect regulators to succeed in fighting fraud when the criminal law has so far been found wanting?

Leading speakers from the Government, the regulatory authorities and the professions will give some answers at a half-day forum entitled Combating Corporate Fraud, to be held on Wednesday, March 30, 1994, organised by The Times and the Law Society and supported by the Commerce and Industry Group of The Law Society and the Bar Association for Commerce Finance and Industry.

Roger Pannone, president of the Law Society, will chair the conference. Speakers include Neil Hamilton, Minister for Corporate Affairs, George Staple, Director of the Serious Fraud Office, and Michael Blair, head of planning and legal services at the Securities and Investment Board.

Please reserve... place(s) at 573 (t62.13 + £10.87 VAT) a person for the Combating Corporate Fraud Forum at 113 Chancery Lane, London WC2, on Wednesday March 30 1994. 2pm-5.45pm

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Profits crash in London

London lawyers' profits last year fell to their lowest for a decade, according to a new survey published today. The study of 150 firms, Paragon 93, by the Winchester-based Centre for Interfirm Comparison, found average profits per partner fell from £93,500 in 1992 to £72,300 in 1993.

One reason was the end of the boom in litigation, with the number of cases rising by only 4 per cent in London last year, compared to a 20 per cent leap in 1992.

Mike Moffat, study director, says some firms were over-optimistic about recovery last year and were caught out. Others had taken on premises in more profitable times but now could not afford them.

As a result, many firms have been forced to cut back on secretaries and administrative staff through redundancies or natural wastage.

But the gloomy position of the



The collapse in the
litigation boom has
hit the capital hard

capital has not been reflected in the provinces, where last year profits per partner rose from £14,500 to £26,800. Only one-sixth of firms in the provinces made losses compared with one-third in 1992. Growth in litigation, at 10 per cent,

was only half of the 1992 level. The North and Midlands fared particularly well, however, and firms in the South East (outside London) and South West had recovered after a bad year in 1992. Mr Moffat says London firms have been badly hit by the trend for corporate clients asking for fixed fees, which holds down the overall fee level.

Salaries in the provinces have also risen across the board, but in London, salaries for assistant solicitors and trainees have remained unchanged since 1991. Salaried partners in London enjoyed increases of only £1,500 last year.

SEAN WEBSTER

● The author writes for Solicitors' Journal.

NEXT WEEK: Winners of the Times Law Awards 1993

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THEATRE page 38

My debt to Benny Hill:
Terry Johnson explains
why his new play is
called Dead Funny

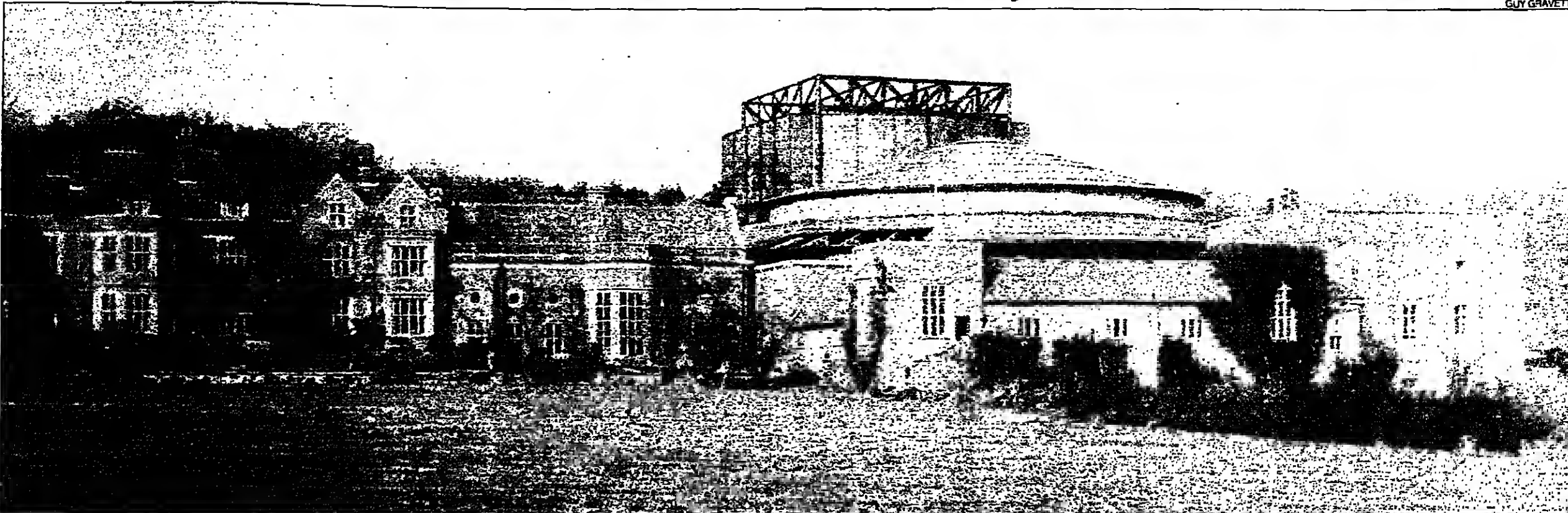
ARTS

GALLERIES page 39

Every picture tells a
story: Claude Lorrain
reassessed in a major
London exhibition



Curtain up on new Glyndebourne



The new theatre at Glyndebourne, with its fly tower rising behind the old house: Michael Hopkins, the architect, has capped the tower with great exposed steel girders, and enclosed it in a wonderful sweep of boldly-ridged lead roofs

Eighteen months and £33 million later, it's all there: the first purpose-built opera house in Britain since John Christie built the original Glyndebourne in 1934. It was completed a day or two ahead of schedule and precisely on budget, and only an insignificant tranche of the money has yet to be raised. The rest has come from corporate and private donations.

In all — as Sir George Christie, Glyndebourne's owner, proudly remarked as he unveiled his new building yesterday — it is "an example of British endeavour at its best, and something to be proud of". Few could bring themselves to disagree.

There are two big and welcome surprises about Michael Hopkins's design in the flesh, as distinct from the model: first, how small the new theatre looks from the outside; and second, how big it feels. From the ha-ha you might as well be looking at the old fly-tower. The skyline is virtually unaltered.

The only possible reservation might be over the striking colour of the new bricks (1.4 million of them) on the exterior. But a steady application of cow dung, as they do in Gloucestershire, should tone it down a bit.

The relatively low profile of the new building is the result of digging deep into the hill one only half-knew was there, behind the house. You walk downstairs to get to the stalls, and the huge rehearsal room behind the equally huge backstage area is virtually underground, though the clever fenestration gives quite the opposite impression.

Indeed, the feeling of space in and around the auditorium is near-miraculous. Although the seating capacity has been increased by

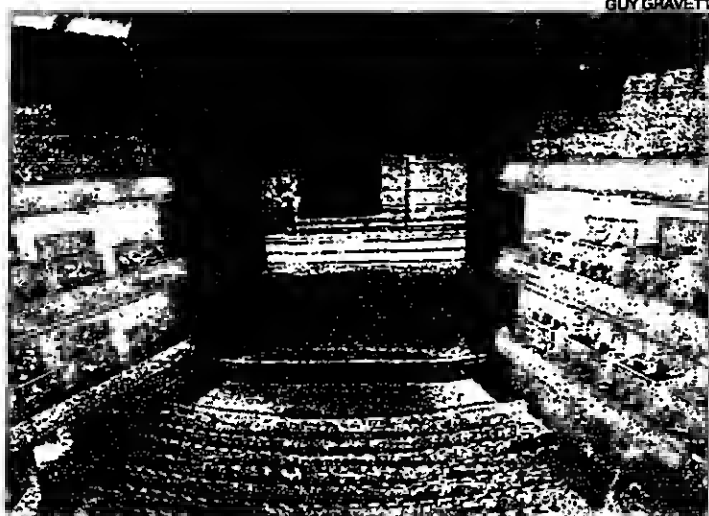
Yesterday, on time and within budget, Sir George Christie unveiled his new, £33 million theatre — the first purpose-built opera house in Britain for 60 years. Rodney Milnes and Marcus Binney hail it as a triumph

nearly 50 per cent — to 1,200, plus 42 in standing room — there will be no shortage of elbow room. An "ambulatory" (the architects' word, which will soon be rechristened "covered way" by old Glyndebourne hands, one suspects) surrounds the exterior on three levels. It is indeed covered and it is wide. There is lots of space to promenade and sit, and it is both sheltered and heatable in inclement weather — and weather can be very inclement indeed in Sussex in May.

The auditorium itself exudes a heady scent of the reclaimed pitch pine used for seats and surrounds. It is a bit like entering the grandest sauna in the world; the smell can be preserved, I gather, and I trust it will be.

Again, although the farthest-away seat will be nearer the stage than in the old theatre — the advantage of horseshoe as opposed to shoebox shape — there is not the slightest suggestion of being cramped: good leg-room, staggered seats to help sight-lines, bags of space between boxes in the circles, and room to walk behind them. Standing space — the provision of which is a canny propaganda move — is equally generous.

Despite the increased seating, the auditorium feels intimate. One is reminded of Frank Matcham, who achieved similar sleights of design. And although the proscenium opening is only marginally bigger than it was in the old theatre — about three yards higher and broader — the vital stage-auditorium relationship seems just right: as right as the relationship at Sadler's Wells, the previous custom-convert-



Inside the new auditorium: all the atmosphere and mellowness of an old theatre, but without resorting to any historical detail

ed opera house in the UK, is wrong. Christie makes much of one result of the larger capacity: the vastly increased number of seats in the cheaper price category. There are nearly 300 in the upper circle, ranging from £50 at the front to £15 at the back, and standing will be £10, offered to music students first, and then to the public (recommended dress as yet undecided).

And ever mindful of the accusation that Glyndebourne is a sort of corporate club, Christie emphasises that corporate presence was never more than 35 per cent in the old theatre, and will be reduced to 23 per cent in the new. As founder members (individuals as well as corporate) paid for 90 per cent of the new theatre, they are thus

sponsoring 72 per cent of the potential audience. Not even the most rabid welfare-state subsidy whinger could balk at that.

In the end it will be the performances that count. The new stage, with wing space beyond the wildest dreams of those who have worked there in the past, should be a joy to sing on and design for. Acoustics, pronounced satisfactory by Derek Sugden and his team, will be tested by conductors — in March. And on May 28 *Le nozze di Figaro* will take the stage, 60 years to the day since John Christie's bizarre vision was first made flesh. It should be just as stirring an occasion.

RODNEY MILNES

The new Glyndebourne is a castle. Here is a building of astonishing power, with the lead-clad fly tower rising like a massive keep behind the mellow front of the old house. The brick walls, complete with staircase turrets and projecting covered walkways, evoke a Sforza fortress.

Michael Hopkins, the architect, has taken an astonishing gamble in capping his fly tower with great exposed steel girders. He carries it off by enclosing it in a wonderful sweep of boldly-ridged lead roofs. The conical roof of the auditorium has the satisfying slope of an apse in an Italian Renaissance church.

The open walkways around are in mellow handmade brick. "The size is the old imperial. The new metric bricks are just too big," says Hopkins. As a result the brickwork blends instantly with the older buildings clustered around.

As you walk from level to level, exploring the ambulatories and the views over the garden, and then down into the basement, there is the feel of a great Roman building made inside and out of a single material: load-bearing brick matched by brick-paved floors. The brick is the softer because it is set in old-fashioned mortar (not cement), flecked with tiny pebbles.

Hopkins has created an indoors/outdoors feel by taking off sections of the upper roof, so you are suddenly in the open air — revealing unexpectedly elegant wooden beams sharpening to a point like a pencil. The foyer is likewise perfect for fiddle summer weather. It is open to the breeze and



Michael Hopkins: his bold new opera house is a triumph

covered with the same eye-catching white tent roofs as Hopkins's stand at Lord's Cricket Ground.

Inside the new auditorium is a triumph. It has all the atmosphere and mellowness of an old theatre, without any resort whatsoever to historical detail. It is satisfying, first of all, because so much of it is in wood. There are wood floors, wooden seat frames, wood balcony fronts, paneled walls and wooden partitions between the boxes.

Much of the appeal comes, too, from the subtlety of the lighting, as the soft and luminous as candlelight, radiating from a myriad points on the balcony fronts and the ceiling. So subtle is it that you are scarcely aware of just how much exposed precast concrete there is in the

ceiling — though this is as smooth as lacquer.

Everything is on the round; that is another beautiful idea. Even the floor of the auditorium slopes in a gentle saucer. The gallery fronts not only form a continuous curve, they are bombe, some solid, some slanted to achieve a better acoustic. All this has been done using pitch pine rescued from Victorian warehouses. "All we need to do is wax it, and it will darken gradually with age," says Hopkins. "We didn't want a posh wood like oak. Glyndebourne was never smart."

The surface is astonishingly smooth, though if you look carefully you can see the clever patching of nail and bolt holes. Also on the round is the proscenium arch, bursting into the theatre like a great drum, and a spectacular bowed lighting bridge above.

The fourth beauty is the colour scheme. Here there is no gilding, no white plasterwork, no red velvet, no carpets — only the blond wood of the auditorium set against the spectacularly smart black stage curtain and proscenium arch. This is picked up in turn by the charcoal upholstery of the seats. Great pains have been taken to achieve a completely silent air-conditioning system, with fresh air coming in under each seat.

The curtain opens to reveal not only a vast stage but also two side-stages, each large enough for rehearsals. The back-stage can store the sets of a whole season's productions. At the back this is connected to yet another full-size rehearsal stage. And the backstage, like the front of the house, is astonishingly well ordered and solidly constructed. This building is not just a triumph, but a great masterpiece.

MARCUS BINNEY

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Nature lacking a human touch

VISUAL ART: Claude, the 17th-century landscape painter, had a problem with people, Richard Cork argues

Even the most besotted of Claude's devotees would admit that his figures often relate awkwardly to the landscapes they inhabit. Like Turner two centuries later, he never depicted people with the assurance so evident in their settings.

Connoisseurs complained about Claude's failings with figures during his lifetime. Joachim von Sandrart, his biographer, declared in 1675 that "they remain unpleasant in spite of the fact that he takes great pains".

Claude himself was fond of wryly observing that he "sold the landscapes and gave away the figures", but this weakness did not lead him to abandon the task. On the contrary, story-telling stubbornly remained a central part of his art to the end, and the National Gallery is now examining his narrative skills in a special exhibition.

By doing so, the show's curator, Humphrey Wine, brings about a shift in the traditional British response to Claude. When, in the 18th century, collectors in this country bought many of his finest works, they did not care a great deal about the stories. In their enraptured eyes, Claude's paintings were valued for an exalted vision of landscape — "calm, beautiful and serene", as Turner described them, lauding their "flexible skies, resplendent valleys, campagnas rich with all the cheerful bluish of fertilisation".

On the continent, though, the wealthy princes and prelates who had vied with each other to acquire Claude's newly completed work in the 17th century had different priorities. While admiring his mastery of landscape, and hanging his pictures to complement views over their own gardens, they attached considerable importance to the narrative subject. And Claude, apparently quite happy to oblige, sometimes peopled his largest canvases with a surprising number of carefully posed figures.

He had little aptitude for the task. Although Claude (born Claude Gellée) left his native Lorraine at an early age and moved to Italy, he showed no sign of upholding Renaissance artists' devotion to the study of classical sculpture. His pen-and-wash copy of an antique statue is a half-hearted affair, conspicuous for its faltering grasp of anatomy and drapery alike.

The earliest painting in the National Gallery survey, a 1632 *View of Rome* executed

soon after he settled there, contains some remarkably feeble figures in its darkened foreground. They are involved in a scene of prostitution, a subject which Claude would later shun in favour of far more elevated themes. And their stiffness contrasts with the view of St Trinità de Monti beyond, an image already suffused with the seductive luminosity which soon made him the most financially successful landscape artist in Europe.

Plenty of Claude's drawings are included, and they prove that his first-hand scrutiny of nature was fired by exceptional intensity. A swift study in chalk and brown wash of *Trees and Rocks by a Cascade* is as concise and limpid as a Chinese brush drawing. Claude's rapport with the Roman countryside anti-

His drawings are so deft and spare they seem hard to square with the infinitely more elaborate paintings

pates, in its freshness and ardour, the landscape revolution of the Baroque era.

No wonder. Constantly venerated the man who, according to Claude's biographer, Joachim von Sandrart, "tried by every means to penetrate nature, lying in the fields before the break of day and until night in order to learn to represent very exactly the red morning sky, sunrise and sunset and the evening hours."

Sometimes, Claude's drawings are so deft and spare that they seem hard to square with the infinitely more elaborate paintings. But he regarded the fruits of his sketching expeditions, with Poussin and other artists, as the raw material for his carefully mediated canvases. Drawings like the British Museum's superb *Study of Trees in the Vigna Madama* are richly worked, proving that Claude could invest such studies with a near-Rubensian vigour and solidity.

One unusual drawing shows an artist at work, sitting on a fallen tree and approached from behind by a man who places a steady hand on his shoulder. Both figures seem to be half-dis-

solved in the light, and the trunk beneath them is far more substantial and convincing than their fugitive forms.

Other drawings were produced in the studio, concentrating on architecture and clusters of people as Claude decided how best to compose his most ambitious canvases. They lack the heartfelt commitment of his outdoor studies, and often show how stilted he became with figure groupings.

The final painting could be embarrassing. *Landscape with the Adoration of the Golden Calf* is a very ungainly work. Whatever attractions the distant mountainous prospect may possess, Claude's hampered handling of the worshippers and dancers dominates our attention.

Compared with the dynamism and poise of the figures in Poussin's version of the scene, which is displayed elsewhere in the National Gallery, the shortcomings of this stilted painting become even clearer.

The wonder is, therefore, that he was able to overcome these defects in his finest pictures. Concentrating on a few figures often turns out to be the best strategy. In the exquisite little *Landscape with Hagar and the Angel*, Claude disregards the Bible's insistence that the encounter occurred beside a spring in the desert. Pointing at the banished Hagar with one hand, the angel gestures with the other at the luxuriant, glowing countryside beyond. His verdancy offers an ideal accompaniment to the angel's promise: "I will multiply thy seed exceedingly."

Still more effective is the so-called *Enchanted Castle*, where the brooding Psyche is the only significant human presence in an untypically wide, empty panorama. The two figures leaving in a distant boat may represent her jealous sisters, who persuaded the tormented woman to behold Cupid in his castle.

But they are diminutive, and Claude focuses all the picture's tension on Psyche in the foreground, ruminating over her disastrous resolve to murder her lover. The castle awaits by the shore, dark and oppressive against the soft radiance of the sky.

Ultimately, though, the *Enchanted Castle* is far from melancholy. Claude was too serene an artist to make any of his paintings truly disturbing. On one occasion, he rashly tackled the slaying of Marsyas.

The victim's suffering is depicted without conviction, especially in comparison with



A rare success for the willing Claude in combining characters and landscape in the dreamlike telling of the myth *Perseus and the Origin of Coral*

the unforgettably lacerating treatment of the same subject that Titian painted in his turbulent final phase. Marsyas looks decorous in the shadows, and an extensive, well-watered view fills the rest of the canvas with an image of nature at its most reassuring.

Claude was at his best when the story he told stressed wonder and poetic transformation. He drew extensively on Ovid's *Metamorphoses*, and the most potent painting on show at the National Gallery deals with the dreamlike tale of *Perseus and the Origin of Coral*.

Claude seizes on the moment of greatest revelation. While Perseus washes his snake-haired Medusa, some nymphs of the sea gather round her severed head. They gesture in astonishment as the bed of leaves and seaweed underneath absorb Medusa's blood and harden into coral.

With great subtlety, Claude ensures that the head is half-shrouded in dusk. Its indistinctness adds to the aura of puzzlement, and the moon's reflection hovers like a portent on the water near by.

Seeing the work, I was reminded irresistibly of Ariel's song in *The Tempest*, written some 80 years before this painting was executed. Although Ariel describes the

underwater transformation of a drowned man, the result is almost the same:

Of his bones are coral made:
Those are pearls that were his eyes:
Nothing of him that doth fade,
But doth suffer a sea-change
Into something rich and strange.

Claude's nymphs marvel in a similar spirit, at the metamorphosis they are witnessing. Their outstretched arms, and the whitish shore around them, are conveyed with such eloquence that it is tempting to suspect an unusual amount of empathy on the artist's part. For Claude must have been fascinated throughout his long career (he was still painting in his 82nd year) by the difference between his close exploration of nature and the refined artifice he practised in the studio.

The immediate sensations defined by his studies in the open air underwent a sea-change just as profound and unfathomable as the blood-soaked leaves and seaweed. Sharing the nymphs' sense of wonder, he was able in this magical painting to overcome his deficiencies and celebrate the alchemical mystery of art.

● Claude: *The Poetic Landscape at the National Gallery* (071-839 1735) until April 10

ROCK REVIEW

Drop the attitude

Manic Street Preachers
Brixton Academy

SINCE the release of their debut album two years ago, Manic Street Preachers have become a substantial, middle-league act with a string of hit singles to their name, including a rocking version of the theme from *M*A*S*H*, "Suicide Is Painless". No mean feat for a band that started out in the town of Blackwood, Gwent, a very remote outpost on the rock 'n' roll map.

But, despite their success — perhaps even because of it — Manic Street Preachers remain a mile too eager to proclaim the seriousness of their anti-hero cause. They are a group much given to aggressive sloganeering and mildly anti-social behaviour, and their desperation to be seen as credible rebels has become a limiting factor, standing increasingly at odds with their music, which has a much broader appeal and is actually steeped in the most conservative of traditions.

Their stage set-up was that of the classic heavy rock band: a row of Marshall stacks at the back, drum-kit raised a good four feet off the floor and a smoke machine gusting fitfully from the wings. Their body language was pure punk: lots of pumping legs, gangling scissor jumps and low-slung guitars played with rapid straight

arm jerks, all straight out of the Joe Strummer school of deportment.

The sound was somewhere between the two: loud, but tinny at the margins, and a lot rougher than the polished production of their most recent album, *Gold Against The Soul*.

After starting with "Motown Junk", one of their oldest songs, they powered through a selection of tracks from *Gold* — "From Despair To Where", "Drug, Drug Druggy" and "Life Becoming A Landscape" — all strong, memorable tunes with wonderfully soaring choruses and, as the titles would suggest, marinated in a tone

of self-pitying melancholy. Standing centrestage, James Dean Bradfield, who writes the band's music (but not the lyrics), shouldered a lot more than his fair share of the work. His high, hard tenor voice, which so resembles Freddie Mercury's on disc, sounded stretched and frayed, and he was not an especially imposing personality. But he drove the band on regardless, not least with his crisp and imaginative lead guitar playing, which put the musicianship of the other three band members to shame.

And here was another imbalance in the group's chemistry. Even allowing for drummer Sean Moore's unreliable timekeeping, Nicky Wire's woolly bass playing, and the insignificance of Richey James's contribution on rhythm guitar, there was a dull complacency about their performances that jarred with the ambitious nature of the songs and the heroically focused efforts of Bradfield.

All that last-gang-in-town stuff may have done the trick in the early days but, on the evidence of this gig, Bradfield is a talented man who now needs less attitude and a better band.

DAVID SINCLAIR

THEATRE: Tim Firth's latest comedy

Humorous high-flier

JETLAGGED on New Year's Day I found myself in Scarborough, watching Tim Firth's black comedy about shopfloor workers mucking around and hoping for promotion. That was *The End of the Food Chain* and I was not terribly amused. Still, it did seem promising. Now, at the end of the month, I sight Firth miles up the theatrical ladder being wildly funny.

Neville's Island is about managers — managers behaving in a low-down way and hitting spiritual rock-bottom. Having embarked on a company-organised adventure holiday, the four men swim from their sinking ship and are marooned on an island. It is very 1990s. It is not the quayside luxury to which Gordon is accustomed; Angus's portable phone is on the blink. They are meant to be polishing up their teamwork. What they plummet to is hardly even civil. They bicker like schoolboys and become positively barbaric, brandishing pointed sticks and ending up at each others' throats.

Neville's Island is a sophisticated piece of theatre. How were they going to evoke the great outdoors? The answer is: with astounding authenticity. Tony Slattery (Gordon) and Jess Rawle (Neville) splash in on all fours through pools of water. Stripping off their soaked hiking gear, they tiptoe around painfully on scorching shingle. Designer Liz Brotherton has got a small corpse through the back door of the Playhouse. Roy, the pigeon-toed Christian (James Fleet), is 15 feet up in his particular tree, and totally out of it psychiatrically speaking.

Firth's piece, except for a few monologues, is beautifully put together. He turns comedy slowly dark, plays see-saw with the managers' power structures, and tints our sympathies from port to starboard. Gordon, who initially appears to be the only one with his head screwed on, is ultimately shown to be more screwed up than anyone. He is the funny man surrounded by sad losers, but his needling jokes turn into serious backstabbing.

Neville, the group leader, acts like a bright and breezy *Blue Peter* presenter in a wilderness of freezing fog. Rawle is like John Noakes without the pep. He heads off in all the wrong directions yet, at the end, hits the nail mercilessly on the head in his assessment report of

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Outstanding cast: Tony Slattery and Jess Rawle in *Neville's Island*

Gordon. Meanwhile, the anally retentive Angus (Paul Raffield), married but still somehow a mummy's boy, is driven to violence.

Neville's Island, strongly directed by Jeremy Sams, is a savage farce about businessmen. It also explores far profounder issues: class; pent-up emotions; the puerility of grown men;

the mess inside a manic joker; and how teasing escalates into tragic bullying. Slattery is outstanding, with a touch of Oliver Hardy about to blow a fuse. Firth, the writer of television's *All Quiet on the Preston Front*, is, at only 28, a high-flier with great prospects.

KATE BASSETT

CONCERT: A new Jonathan Lloyd work for the LPO

More than tolerably good

instruments want their say, and all — in this generously scored, 20-minute piece — get it. But it is not so much a question of give and take as a free-for-all governed by certain rules: "Co-operative anarchy under a benevolent dictatorship", Lloyd himself says.

What this means in musical terms is a continual succession of colourfully scored, fragmentary utterances, jostling

LPO/Welser-Möst
Festival Hall

for attention and sounding like, not a taut structure, but a vigorous discourse. Microtonal slides and glissandi lend a vaguely threatening air, but the predominant atmosphere is one of high spirits, even humour. Extravagantly operatic and carnivalesque ges-

tures alternate with subdued, reflective moments, yet the whole is unified by a compelling sense of purpose.

Welser-Möst must take some of the credit for that impression, as must the players for a virtuoso rendering of the densely detailed score. Their playing of Stravinsky's *Petrushka* was no less masterly, although it seemed for some time as if there would be little more to recommend it

than that every last note was securely in place. By the final movement, the evening of the Shrove-tide Fair, the energy was coming to seem less synthetic, but still the performance obstinately failed to catch light.

So, for that matter, did Saint-Saëns's Violin Concerto No 3, although that may have been the composer's fault as much as the conductor's. At least it provided a suitable vehicle for the serene singing tone and dazzling pyrotechnics of a fine soloist, Frank Peter Zimmermann.

BARRY MILLINGTON

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THE TIMES
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Explosive Smith inspires Dallas to maintain Super Bowl supremacy

Bills pay for flaws and fumbles



Thomas, the Buffalo running back, immersed in private grief near the end of the Bills' 30-13 defeat against Dallas in Super Bowl XXVIII. Photograph: Darr Beiser

A block away from the home where the Rev Martin Luther King Jr was born, there is a museum dedicated to his memory. On sale there is a postcard highlighting a sentence from one of his speeches: "The ultimate measure of a man," it reads, "is not where he stands in moments of comfort and convenience but where he stands at times of challenge and controversy."

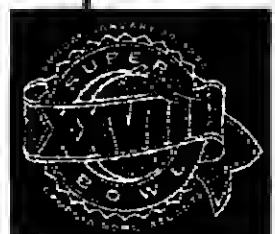
On Sunday night at the Georgia Dome, Jim Kelly, Thurman Thomas and the rest of the Buffalo Bills failed the test again. They glimpsed their promised land and, for a few moments before half-time, they may even have thought they had seen the mountain top. But then the spell was broken. Their skills deserted them, their nerve failed, they folded. For the fourth year in a row, they lost the Super Bowl. Plaudits will be heaped on the Dallas Cowboys, whose 30-13 victory gave them their second successive win at the ultimate stage of the season. Emmitt Smith, their running back, the game's Most Valuable Player, was explosively brilliant; Troy Aikman, their quarterback, below par but unflappable. James Washington, the safety, came up with the big plays.

This, though, was an object lesson in losing, not winning, a flawed performance on a flawed occasion. The scoreline was more respectable than the 52-17 drubbing the Cowboys dished out last year and the result was still in doubt until the fourth quarter, but the Bills' defeat was all the more abject because of the opportunity they threw away.

On a day of inevitable but facile records, Kelly, the Bills quarterback, threw his seventh Super Bowl interception. The policy of Marv Levy, the Bills coach, of allowing him to call his own plays is looking more and more misguided. Dallas like to think they are America's Team, glamorous, brash, successful again. But the Bills fit the description better. Everything is smooth on the surface, but scratch the veneer, examine the fabric in crisis and a sea of instability and turmoil, fundamental weakness, is exposed.

Curiously, their very fallibility redeemed the game, gave it a theme many others have lacked and hauled it out of the mire of commercialism in which the Super Bowl is drowning. Despite the nature of the occasion, the Bills and the Cowboys dredged some passion from what is increasingly a cosmetic, clinical experience.

Oliver Holt reports
from Atlanta on
the Super Bowl, an
occasion that is
floundering in hype



ence. Clinical because the game is no longer the whole, only part of the whole. The pomp and splendour of the increasingly elaborate half-time shows, the continuous breaks in play caused either by time-outs or the players waiting for television commercials to finish, sapped the occasion of sporting intensity.

Thus, in spite of the frequent stomach-churning collisions, cartwheeling bodies and Herculean efforts of players such as Smith, the Super Bowl lacks guts. The accoutrements supposed to hold one's attention and keep viewers glued to the screen have the reverse effect. They strip away allegiances, dilute involvement, promote detachment.

Much though the spectator might want to lose himself in the action, the intermittent burst of rock music, the histrionics of the cheerleaders, the constant commentary over the public address system, make it impossible. Even the temperature in the stadium is regulated. The cult sports advertisements starring Denis Hopper, the film actor, have got it right: "Bad things, man," is his catch phrase.

Only the fascination of the Bills' annual battle against the Redskins, topped by the tempo, Thomas, their running back and most potent weapon, epitomised the struggle. He has averaged more than 1,300 yards in rushing for the past four seasons, but with the exception of his first Super Bowl appearance in 1991, he has let the team down when it has mattered most.

In 1992, Thomas misplaced his helmet before Super Bowl XXVI against the Washington Redskins, missed the first series of plays and managed to gain only 13 yards in the course of the game. Last year, it was 19 yards, the marginal

improvement offset by two fumbles. On Sunday, despite another early fumble, it seemed he was about to put everything right. His jinking touchdown early in the second quarter gave him a record-equalling fourth Super Bowl score and put the Bills 10-6 ahead. When Aikman wobbled and threw an interception and Christie kicked a field goal to put Buffalo 13-6 ahead at half-time, an upset loomed.

Yet, within a minute of the start of the third quarter, Thomas allowed the ball to be beaten from his grasp again. It was recovered by Washington and he ran 46 yards for a touchdown. With the extra point for the converted kick, the scores were level. Thomas returned to the sidelines, hunched his helmet to the floor and did not play any further part in the match.

"Throughout my career, I've never been a fumbler," he said. "If you watch Dallas on film, you can see they practise knocking it away from you. That second one turned the entire game around."

Dallas and Smith never looked back. Their path forward is clear and bright, despite the introduction next season of a wages cap for each club of \$34 million (about £23 million). Jerry Jones, their owner, and Jimmy Johnson, the head coach, laughed off talk of differences and pledged themselves to the team: "Everybody has gotten a kick out of Jerry and Jimmy and thinking they are at each other's throats," Johnson said, "but when you win these kinds of things, the only thing you're going to do to each other's throat is hug it."

Buffalo's way ahead is less certain. There was talk in the locker-room of making it "five in '95" but it was only half-hearted. "That which does not kill me only makes me stronger," some Nietzsche-loving Bills fans, in reference to their Super Bowl sufferings, had printed on their T-shirts before the game. Even if their team does not die, psychologically, it must be damaged beyond repair.

For the survival of the Games as a sporting event of any relevance, the English council's nomination of London could have profound effect. Unless the Commonwealth Games Federation, which selects the host city in 1995, rapidly co-ordinates the inclusion of team games — with the approval and collaboration of the international governing bodies of, in particular, cricket and rugby — the Games could become increasingly meaningless, denied by commerce the presence of the leading competitors in athletics.

For England now to choose London would, moreover, have a double effect: it would provide a glamorous venue and would probably guarantee England's success in achieving the ultimate nomination. It is unlikely that any city of significance would see fit to challenge London on the occasion of the Queen's anniversary.

Of the "regular" host nations, Canada is the venue this year. Malaysia becomes the first Asian country to stage the event when Kuala Lumpur is host in 1998 and New Zealand staged the Games four years ago. Australia is occupied with Syd-

Team	1st	2nd	3rd	4th	Total
Dallas	6	0	14	10	30
Buffalo	3	10	0	0	13

Emmitt Smith rushed a total of 132 yards (from 30 attempts). Thurman Thomas rushed 37 yards (from 18). Troy Aikman completed 19 of 27 passes for a total of 207 yards. Jim Kelly completed 31 of 50 passes for a total of 260 yards.

Pressure on council to select London for Games

David Miller on why London should be chosen to stage 2002 Commonwealth Games

There are powerful reasons why any of the three cities — London, Manchester or Sheffield — wishing to be England's candidate to host the Commonwealth Games of 2002 should be nominated at today's meeting of the English Commonwealth Games Council. London, in my opinion, holds cards which make its selection essential.

If the Commonwealth is to continue to mean anything, then its survival would be substantially assisted by London hosting the Games of 2002, the year of the Queen's fiftieth anniversary of accession.

Manchester failed in its Olympic bid against Sydney not because of its facilities but on the emotional and visual aspect. An even deeper, more genuine emotional element applies to London.

The Games are the only public manifestation of the Commonwealth, apart from the meetings of heads of state, and a Games in London would re-identify the origins, purpose and strength of the Commonwealth. They would, in a sense, be themselves a coronation, since they have never previously been staged in England.

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Of the "regular" host nations, Canada is the venue this year. Malaysia becomes the first Asian country to stage the event when Kuala Lumpur is host in 1998 and New Zealand staged the Games four years ago. Australia is occupied with Syd-

ney's Olympic Games, though with a candidate other than London, Melbourne, Perth or Adelaide, the latter defeated last time by Kuala Lumpur, might consider their chances.

The 1988 African Games in Nairobi suggested they might not be competent to host the Commonwealth and administratively and any South African city, if put forward, would be unlikely to achieve preference over London.

All this may seem in conflict with my allegiance to Manchester on the Olympic front. I am sure that Sir Bob Scott would stage a splendidly multi-cultural show, but I think the Commonwealth Games would be wasted on Manchester in a way that was not true of the Olympics, which Manchester might yet wish to bid for again.

Once Manchester had staged a Commonwealth Games, it would be unlikely to be a subsequent candidate for an Olympics. The reasons against London for the Olympics — the logistical impossibility of travel between venues and village, the absence of an adequate village site — remain obvious, but with a Commonwealth event being only a fraction the size, London can manage.

Moreover, the bid being co-ordinated by Sir Brian Wolfson, chairman of Wembley, is far more coherent than the muddled offer presented to the British Olympic Association as potential hosts for the 2000 Olympics.

There are strong practical arguments for Manchester or Sheffield, of course. Above all, the 2002 Games would achieve for Manchester the building of the exciting Ove Arup-Sir Norman Foster main stadium proposed for the Olympics, a magnificent investment for the north of England and the future. But on the back of a Commonwealth Games, I would be concerned about financing.

Sheffield have a powerful emotional argument, less grand than London's but as genuine. They put heart and soul and a lot of public money into the World Student Games and have all the facilities available without building. But so too does London, bar restructuring Barbet Crophall swimming pool and laying a running track at Wembley. It is emotion, however, that demands the London choice.

South Africa look to Kirsten's resolve

AT THE start of play in the third and final Test in Adelaide yesterday, Peter Kirsten and Fanie de Villiers strode on to the field to try and score the 35 runs South Africa required to avoid the follow-on. At stumps, the pair faced a stiffer task, for South Africa had already lost three wickets in their second innings and there was a day still to play (Peter Roebuck writes).

Thanks to the their resolution, South Africa accomplished the first task by scoring 38 runs in 37 minutes of gripping cricket. For the most part, Kirsten took care of Warne, or tried to. It was a fascinating duel upon which the match had seemed to depend. It may yet do so.

South Africa were vastly relieved when a leg-bye took them to their target of 270. Kirsten, concentration broken, was promptly caught at silly

point. He had batted for 310 minutes. Earlier, he had been fined a quarter of his match fee (about £400) for comments made to the umpire, Darryl Hair.

When De Villiers fell, Australia led by 196. Slater soon departed, leg-before, to give Donald his fifth Test wicket. In reality, England had no alternative once the combined St Kitts and Nevis team had continued its laboured innings briefly into the final morning.

Ten overs were lost because the bowlers' run-ups, repaired overnight, had not dried out properly and a first-innings lead of only 50 gave England little room to manoeuvre. Not even the wildest of county captains could have manufactured a result from a game the England manager, Keith Fletcher, had wanted to be played over four days.

Yet the chance for valuable practice was largely frittered away. Only Lewis of the ruthless brigade managed to capitalise on the free time at the crease and, in mid-afternoon, England were in danger of collapsing not to pace but to Powell and Lake, a couple of dolly off-spinners. The draw had been assumed long before stumps were drawn.

Admittedly, the batting order yesterday bore no relation to that of the first innings. With Maynard suffering from a stiff neck and reluctant to bat, Hussain opened with Lewis and Fraser came in at No 6. Still, this was hardly a distinguished effort by England, who begin their opening first-class match against a

England practice drive checked by gentle spin

FROM ANDREW LONGMORE IN BASSETTERIE, ST KITTS

FOR ALL the good intentions of Mike Atherton, the England cricket captain, to pursue victory in the early games, his side opted for batting practice on the last day of their three-day game here yesterday.

In reality, England had no alternative once the combined St Kitts and Nevis team had continued its laboured innings briefly into the final morning.

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Leeward Islands side minus Curtly Ambrose but probably including Richie Richardson on Thursday.

Hussain, desperately short of confidence and timing in the opening weeks, managed 11 in nearly an hour before being bowled trying to sweep Powell. Already, he must be having visions of his last tour here, in 1990, when he proved his courage by playing two tests with a damaged wrist but averaged 20.

Nor did Russell, whose batting seems to have gone backwards while his stance has

gone sideways over the past three years, do much to suggest that he will be any match for the full West Indian attack later this month. His scores in the two non-first-class games have been nought, eight not out and one. Sadly, odds must be on Stewart reassuring the wicketkeeping duties long before the series is out.

In contrast, Lewis batted fluently in his first innings of the tour, hooking and driving Maynard for three fours in an over and guiding England to 44 without loss at lunch. Hussain and Russell went soon after and when Ramprakash, who had made an assured century in the first innings, was caught and bowled by Powell, England were beleaguered at 72 for three and suffering from culture shock in the face of gentle spin.

Atherton led the counter-attack before he was caught behind and Lewis, in defiance of the conventions over the past three days, did not wait for the umpire's finger when he lobbed a bat-pad catch taken by the wicketkeeper moving round to short leg. A few lusty blows by Stewart took England to a precarious 154 for five at tea.

In the morning, the home side had elected to extend their innings, but their last two wickets lasted just 24 overs and added two runs. Malcolm, at least, took his first wicket of the tour, a perfect yorker shattering MLI's stumps.

Honour intact as tour ends on flat note

FROM MICHAEL HENDERSON IN FORT ELIZABETH

AT LUNCHTIME, it was just possible to imagine the England cricket team securing victory in the A Test here yesterday. However, by tea, such imagination proved fanciful and, when five bells tolled, there were handshakes all round. A disappointing game on a slow pitch had ended with honour intact and the match, and tour, closed with a tame draw.

England's successful morning was not quite enough to open up the day. They took the last seven South African wickets for 65 runs inside 19 overs before they found 250 in 65 overs too stiff a target when three of their own wickets went cheaply.

It was a good try, particularly by Mark Lloyd and Darren Gough, who split the second innings down the middle with five wickets apiece. Over the five days, the scoring rate was under 2½ runs an over, which, as Hugh Morris pointed out, was unusual for teams that possessed so many stroke-makers. The pitch determines the shape of every match and this one was slow, low and thoroughly fireproof to know. Good ride.

Alan Wells, whose first innings century provided the most entertaining cricket, was 45 not out when play ended nine overs early. Mal Loye was just six runs short of his second half-century of a game in which he shared stands of 171 and 78 with the vice-captain. He can be pleased

with his progress on this tour.

"It was a great effort to bowl them out in the morning," Morris said. "We then needed a good start and we didn't get it. After that, it was not possible to win if they bowled tightly to defensive fields."

With the benefit of hindsight, Morris insisted that England would still have excluded Martin McCague and approached the game with six batsmen. From beyond the boundary, it was not easy at

the time to endorse his view. To play Mark Lathwell, in his current disposition, was akin to going in with ten men.

Lathwell was the first to go, deceived so thoroughly by Aubrey Murray's slower ball on the stroke of lunch that an appeal was hardly necessary. Murray, a left-arm bowler of some potential, removed Morris's off stump with a ball that kept low, then tempted Loye to hook high to long leg, where Eric Simons held a difficult catch impressively.

When Wells and John Crawley were together, an English victory was a half-suppressed thought. If they could stay there for a session, scoring steadily, England could look again at tea.

They did not stay, however. Jimmy Cook placed himself at short mid-wicket for the ball Crawley is prone to drive uppishly and the ball followed him immediately.

The last word belongs to Lloyd. To take nine for 114 on this pitch, as he did, was an excellent achievement. Five of them came in 34 balls yesterday morning as the South African house fell apart amid an extravaganza of loose strokes.

"I would not have put much money on the seamers picking up 16 wickets," Morris said. "It was a remarkable effort."

CONTEST: January 31; India vs Sri Lanka; Sri Lanka second innings; 37; Jayasuriya c sub b Chawla 1, not out.

SCOREBOARD	
AUSTRALIA: First Innings 499-7 dec (SR Waugh 184, A R Border 84, M A Taylor 62, M J Slater 53, O G Bonson 50)	
Second Innings	
M A Taylor b Donald 36	
M J Slater not out 38	
O G Bonson c Richardson b Donald 12	
M E Waugh c Richardson b Donald 12	
A R Border run out 14	
S R Waugh c Richardson b Slater 14	
11 freely not out 14	
P S de Villiers not out 2	
P R Roebuck not out 2	
Extras (lb 1, nb 1) 2	
Total (6 wickets) 184	
FALL OF WICKETS: 1-29, 2-79, 3-91, 4-99, 5-103, 6-108	
BOWLING: Donald 11-3-26-2, Makhail 11-0-5-11, Crook 6-1-20-4, Slater 12-3-38-3	
SOUTH AFRICA: First Innings	
A C Hudson b S R Waugh 90	
G Kirsten c May b McDermott 43	
W J Groenewald b Roebuck 0	
P N Krieger c M E Waugh b Warne 75	
J N Rhodes b S R Waugh 10	
G J Culbertson b S R Waugh 10	
Extras (lb 1, nb 1) 2	
Total (6 wickets) 184	
FALL OF WICKETS: 1-129, 2-279, 3-391, 4-399, 5-103, 6-108	
BOWLING: Donald 11-3-26-2, Makhail 11-0-5-11, Crook 6-1-20-4, Slater 12-3-38-3	
SOUTH AFRICA: Second Innings	
A C Hudson c S R Waugh b McDermott 2	
G Kirsten b Warne 7	
W J Groenewald b Warne 43	
P N Krieger not out 0	
P S de Villiers not out 0	
Extras (lb 1, nb 2) 3	
Total (4 wickets) 18	
FALL OF WICKETS: 1-12, 2-17, 3-18	
BOWLING: McDermott 7-3-8-1, Roebuck 4-1-7-0, Warne 7-5-3-2	
Umpires: D Hair and T Prais	

SCOREBOARD

ENGLAND: First Innings 328 for six declared (M R Ramprakash 136, R A Smith 71, A J Stewart 67)

Second Innings

N Hussain b Phillip 66	
C G Russell c Phillip b Lake 11	
M R Ramprakash c Phillip b Lake 53	
M A Atherton c Phillip b Powell 28	
A R C Fraser not out 28	
A J Stewart not out 27	
Extras (lb 10, lb 5, w 3, nb 34) 46	
Total (6 wickets) 154	
FALL OF WICKETS: 1-48, 2-67, 3-72, 4-112, 5-119	

ST KITTS-NEVIS: First Innings

M Lloyd run out 36
B Thompson b Tufnell 32
H Williams b Tufnell 30
C Cammilleri b Fraser 24
J Maynard b Tufnell 24
J Maynard c Russell b Fraser 30
R Powell c Russell b Fraser 30
C Tuckett b Tufnell 16
L Lake b Tufnell 11
TW Phillips not out 5
J Maynard b Tufnell 0
M Madsen b Tufnell 0
Extras (lb 10, lb 5, w 3, nb 34) 46
Total 259
FALL OF WICKETS: 1-74, 2-86, 3-170, 4-171, 5-172, 6-207, 7-245, 8-252, 9-254
BOWLING: Maynard 16-4-48-1, Fraser 16-2-39-3, Tufnell 26-8-58-3, Lewis 20-4-60-2, Ramprakash 12-5-33-0
Umpires: A Welles and J Moorhead

ENGLAND A: First Innings 257 (E O Simons 68, G F J Linnberg 76, M Coot 4 for 71)

Second Innings

J M Arthur c Luffwell b Gough 7	
G F J Linnberg c Wells b Gough 12	
P R Roebuck c Gough b Lloyd 48	
S R Crook b Gough 48	
A P Kuper c Loye b Gough 45	
E O Simons b Lloyd 7	
J J Cullum c Gough b Lloyd 49	
D N Crookes b Lloyd b Gough 7	
M W Pingle not out 10	
B Stanger c Lloyd 2	
A Morgan b Lloyd 0	
Extras (lb 2, lb 6) 8	
Total 221	

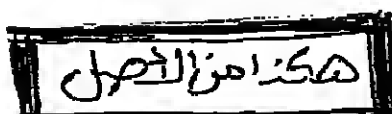
FALL OF WICKETS: 1-21, 2-28, 3-112, 4-184, 5-189, 6-186, 7-205, 8-207, 9-221

BOWLING: Lloyd 20-5-48-4, Gough 23-4-61-5, Dale 18-3-31-4, Sturt 10-1-32-0, Cook 9-3-28-0
ENGLAND A: First Innings 329 (A P Wells 130, M S Loye 51)

Second Innings

M N Lathwell b Meryn 4	
H Morris b Meryn 12	
J P Crawley c Cook b Pingle 16	
A P Wells not out 49	
M S Loye c Simons b Meryn 44	
B Stanger not out 10	
Extras (lb 1, lb 2, nb 2) 5	
Total (4 wickets) 129	

FALL OF WICKETS: 1-15, 2-24, 3-43, 4-124
BOWLING: Pingle 8-1-17-1, Meryn 15-4-29-3, Stanger 16-4-29-0, Simons 9-0-16-0, Crookes 9-0-27-0, Kuper 4-1-12-0
Umpires: C McKinley and S Lambson



Liverpool revive tradition by promoting from within

Evans joins Anfield dynasty



Evans, left, enjoys a smile with Moores, the Liverpool chairman, after his appointment as Liverpool manager. He has been associated with the club for 42 years

By PETER BALL

IN THEIR time of trouble, Liverpool have reverted to tradition and gone back to the boot-room. Roy Evans, their assistant manager, who joined the football club as an apprentice in 1952, was appointed manager yesterday in succession to Graeme Souness. He has been given a contract to the end of the 1995-96 season.

"He has had 30 years' loyal service and his ability and dedication have greatly impressed me since I joined the board," David Moores, the chairman, said yesterday. "He was initially appointed as the reserve team coach on the recommendation of the late Bill Shankly and he is the last of the Shankly boys."

That recommendation still has talismanic qualities for Liverpool. Evans joined the coaching staff soon after

Shankly's surprise resignation in the summer of 1974, his early retirement as a player coming after only 11 first-team matches. He was greeted with the prediction by Sir John Smith, the then chairman, that he would be "Liverpool manager one day".

It has taken 20 years. Evans successfully worked his passage with the reserve side and, last May, when Souness's future became clouded, he was made assistant manager to provide some counter-balance to Souness's abrasiveness. Now he has succeeded him.

Evans has had a fine grounding, following the path trodden by Bob Paisley, the club's most successful manager. Joe Fagan and Ronnie Moran, who all spent long years absorbing the folk wisdom of the most famous room in English football. The tradition was broken with the

LIVERPOOL'S HONOURS

Roy Evans is the fourteenth full-time Liverpool manager since 1923, but the Anfield succession story really accelerated after the arrival of Bill Shankly from Huddersfield Town in 1959.

Previous managers:
 □ John McKenna, 1923-29
 □ Tom Watson, 1929-35, two championships
 □ Dave Astlewood, 1935-39, two championships
 □ Matt McQueen, 1939-53
 □ George Patterson, 1953-56
 □ George Kay, 1956-61, one championship

appointment of Kenny Dalglish as player-manager and, apparently, ended when the club went to Scotland to recruit Souness. However, Liverpool have now gone back to what they know.

Whether it will be successful is another matter. Many may feel Evans has a dubious inheritance, with a team of senior players in decline, promising but raw youngsters

and expensive imports who have yet to justify their high prices and high salaries. Moores said yesterday that there would be money available "for the right player" but with Souness having spent £30 million, the resources are likely to be thinner than for any manager since Shankly.

Predictably, Evans saw it differently yesterday. His family are all dyed-in-the-wool Liverpoolians — his father, briefly, also being on their books — and he admitted that becoming manager was an emotional moment that fulfilled a dream.

"I am emotional about this club," he said. "I've been on this planet for 42 years and for 42 of them, I've been a supporter or part of the club. We all know it is simply the best in the world."

"I don't think we are as bad a side as people have made out. I've not been happy with the consistency, but we still have a reasonable squad. We can still qualify for Europe. I believe we have got the quality, but it is how we apply and organise it."

Evans is universally popular and will start with the good wishes of most people in football and the support of the senior players. Some questioned whether he is too nice

for the job, but the same doubt was raised about Paisley. After Souness's confrontational style, the difference may lift morale among senior players.

The new, or rather old, style was immediately evident yesterday. After the designer clothes of Souness, Evans turned up to the press conference announcing his appointment in a tracksuit.

"I've always been a tracksuit man," he explained. "I'm not the most stylish man in the world, but we work and play here in Liverpool. Liverpool people are workers and that's what we are."

It persuaded one television reporter that "back to basics" had reared its head in Liverpool 4. "I never said back to basics," John Major said that. Evans replied, "but it is back to the factory floor."

Milla's return, page 40

Jacobs is happy to put title chance at risk

FROM SRIKUMAR SEN
BOXING CORRESPONDENT
IN PARIS

WHEN Mickey Duff takes a boxer on the verge of a lucrative world title bout to a contest in France, you can be certain there is little danger of the London promoter's man losing. No wonder, then, that Gary Jacobs, the European welterweight champion, from Glasgow, has no qualms about defending his title here against Tek N'Kalankete.

Duff not only believes Jacobs will win but that he will also be the first man to stop the Frenchman. Of course, both Duff and Jacobs know that N'Kalankete is not the same man who boxed Terry Marsh at Muswell Hill in 1986. The Zaire-born Frenchman was 39 then and a light-welterweight.

A year later, N'Kalankete won the vacant European title by stopping Tony Laing. He lost it two years later and then faded out of the picture. He reappeared in 1992 as a welterweight, but made little impression, being beaten by Daniel Bichieray. Jacobs stopped Bichieray in five rounds, 15 months later, so it would be reasonable to assume N'Kalankete should not prove too difficult a problem.

N'Kalankete is, all the same, experienced and durable. If Jacobs can impress against him, he could earn a title bout against one of the most exciting boxers around, Pernell Whitaker, the World Boxing Council champion.

Jacobs thinks he could surprise Whitaker. If given the chance to challenge him: "N'Kalankete has never been stopped and I've got to make sure I'm the first man to do it," he said. "But I realise my back will be back up against the wall fighting here."

Jacobs knows all about the dangers of boxing away from home. Even the French press said he was "robbed" in a European title bout against Ludovic Prote in Paris. Four months later, Jacobs returned to Paris to face Prote again but this time stopped the Frenchman in nine rounds to lift the title.

Paul Hodgkinson, of Liverpool, will challenge, Steve Robinson, of Wales, for his World Boxing Organisation featherweight title on March 12 at Cardiff ice rink.

Race to go ahead on course where skier died

By OUR SPORTS STAFF

ORGANISERS confirmed yesterday that a men's World Cup downhill skiing event will go ahead as planned on Saturday on the Kandahar slope at Garmisch-Partenkirchen in Germany where Ulrike Maier, of Austria, died at the weekend. Maier, a former world champion, broke her neck during a women's World Cup downhill.

This tragic accident has affected us all, but that is no reason to shut down the entire sport," Heinz Kreckel, the commissioner of the International Ski Federation (FIS), said. He confirmed that a jury, headed by Sepp Messner, the FIS race director, had agreed to go ahead with the downhill and a men's slalom on Sunday on the Gudiberg piste. "The meeting lasted only 20 minutes and the decision was unanimous," he said.

Marc Hodler, the president of FIS, however, has called for speed restrictions on women racers. Speaking on Austrian radio, he said: "It has become imperative to check the speed of women." But he would not say what measures would be taken or considered.

The federation has been forced on the defensive after being threatened with legal action by Maier's fiancé, Herbert Schweighofer, who has criticised safety measures. Garmisch, Maier had been travelling at more than 60mph when she fell and hurtled into a dining pavilion. She suffered a broken neck and other severe internal injuries. Hodler said: "It is impossible to foresee everything and protect against every risk. However, he admitted that he was concerned about state-of-the-art equipment and suits that had cut times."

Officials for the Winter Olympic Games, which begin in Lillehammer, Norway, February 12, have said the incident is unlikely to prompt any new safety measures. They claim their downhill course is safe and requires no alterations.

"We think we have done job as well as it can be done," Svein Mundal, the race manager, said.

Lawmakers move goalposts in game of farce



THE LAW, they say, is an ass and more of an ass in sport than most walks of life. But not even the bigwigs at the Football Association could have concocted a rule so daft that both sides ended a competitive cup match attacking their own goals, the farcical situation that occurred at the end of a recent match between Barbados and Grenada in the final group match of the Shell Caribbean Cup.

Needing to beat Grenada by two clear goals to qualify for the finals in Trinidad and Tobago, Barbados had established a 2-0 lead midway through the second half and were seemingly well in control of the game. However, an own goal by a Bajan defender made the score 2-1

Andrew Longmore sees football emerge a loser because of an absurd rule

and brought a new ruling into play, which led to farce.

Under the new rule, devised by the competition committee to ensure a result, a match decided by sudden-death in extra-time was deemed to be the equivalent of a 2-0 victory. With three minutes remaining, the score still 2-1 and Grenada about to qualify for the finals in April, Barbados realised that their only chance lay in taking the match to sudden-death. They stopped at-

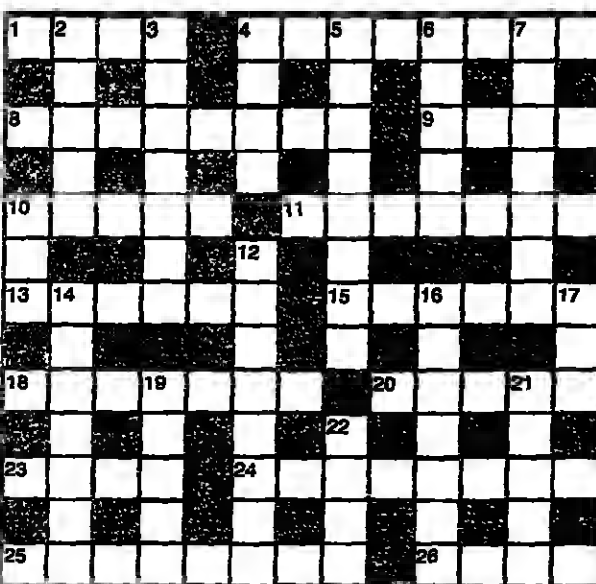
tacking their opponents' goal and turned on their own. In the 55th minute, two Barbadian defenders, Sealy and Stoute, exchanged passes before Sealy hammered the ball past his own goalkeeper for the equaliser.

The Grenada players, momentarily stunned by the goal, realised too late what was happening and immediately started to attack their own goal to stop sudden-death.

Sealy, though, had anticipated the response and stood beside the Grenada goalkeeper as the Bajan defended their opponents' goal. Grenada were unable to score at either end, the match ended 2-2 after 90 minutes and, after four minutes of extra-time, Thorpe

scored the winner for Barbados amid celebration and laughter in the National Stadium, Bridgetown. James Clarkson, the Grenadian coach, provided an unusual variation on the disappointed manager's speech: "I feel cheated," he said.

"The person who came up with these rules must be a candidate for the madhouse. The game should never be played with so many players on the field confused. Our players didn't even know which direction to attack. I've never seen this happen before. In football, you are supposed to score against the opponents to win, not for them." Nobody should tell the organising committee of the World Cup. They might get ideas.



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TIMES TWO
CROSSWORD

No 77

ACROSS

- 1 Eliminator (4)
- 4 Three consecutive wickets (3,5)
- 8 Hood's "No sun ..." month (8)
- 9 Welsh fellow, jocularly (4)
- 10 Pivoted bar (5)
- 11 Greedy person (7)
- 13 Hole in sock (6)
- 15 Floating helplessly (6)
- 16 Lizard: warship (7)
- 18 Wave hair with iron (5)
- 23 Unaccompanied (4)
- 24 Sorts: asks for more (8)
- 25 US state: its beetle a pest to (3,8)
- 26 Chair (4)

DOWN

- 2 Call to mind (5)
- 3 See 21 (7)
- 4 Tramp (4)
- 5 One from Innsbruck (8)
- 6 Refute (5)
- 7 Raise false alarm (3,4)
- 10 Cut branch from tree (3)
- 12 Forbidden zone (2-2,4)
- 14 Sweet sherry (7)
- 16 Altar screen (7)
- 17 Spinning toy (3)
- 19 Reddish-brown African hardwood (5)
- 21,3 Her accession in Austria caused 1740 war (5)
- 22 W African republic, capital Lomé (4)

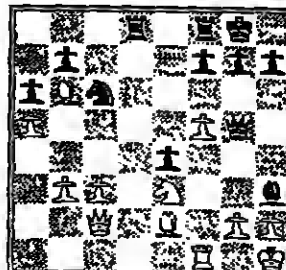
SOLUTION TO NO 76

- ACROSS: 1 Broadcloth 7 Emotion 8 Sineu 10 Rejune
 11 Apari 12 Ranged 15 Gander 17 Heuri 18 Amateur
 21 Nurse 22 Dauphin 23 Alternator
- DOWN: 1 Boost 2 Orion 3 Danger 4 La Scala 5 Tynwald
 6 Petrarcan 9 Waterfront 13 Neutral 14 Evil eye
 16 Garden 19 Adult 20 Esher

WINNING MOVE

By Raymond Keene

Today's position is from the game Hennigan - Sadler, at the Hastings Premier tournament, 1993. Black has a clever tactical sequence here which forces a draw.





MATTHEW PARRIS
POLITICAL SKETCH

Back to square one and that critical question on Brazil

Why do they do it? The question would have nagged at any fair-minded observer of the Commons yesterday, as MFs quizzed the Foreign Secretary and his ministers.

Take Anne Campbell (Lab, Cambridge). Mrs Campbell had put down question 11 to the Secretary of State: "What discussions have taken place with the Government of Bangladesh about human rights issues in the Chittagong Hill Tracts?" Now, nobody doubts Mrs Campbell's good faith or intelligence, and her question must be one of profound importance to anyone living in the Chittagong Hill Tracts.

But how many other Britons would choose to forsake ordinary family life and travel into Westminster on a chilly February morning, cut short lunch, and wait nervously on the edge of an uncomfortable bench through the better part of an hour of tired questions and bored answers, in the hope — no more than that — that the question would be reached and a junior minister who (until being briefed that morning) probably knew no more about the Chittagong Hill Tracts than Mrs Campbell herself, would attempt a non-committal answer? As it happened, we did just reach question 11.

Which was lucky — if that's the word — for Mark Lennox-Boyd, a junior Foreign Office minister who had no other questions, beyond Mrs Campbell's, to answer yesterday. He had come along just for that.

I know Mr Lennox-Boyd. He is a good man, apparently sane, pleasant company and perfectly bright. He is not short of money. He has no ambitions to be Prime Minister. He has not the remotest chance of influencing the prospects of the inhabitants of the Chittagong Hill Tracts. He has never displayed any interest

in the Chittagong Hill Tracts in his life before. But something has got into his head — perhaps long ago — which has set him on the course leading him now to his position on that bench, waiting in case Mrs Campbell should ask him on a subject previously unknown to him. Why? Why?

Or take question 15: "Mr Alvin Duncan (C, Rutland & Melton): to ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on United Kingdom relations with Brazil."

Alan Duncan has been unlucky recently over some perfectly open property transaction whose supposed rights and wrongs elude most of us but engaged a section of the media for ten minutes last month. Duncan judged it best to resign from his first political job as a parliamentary private secretary — the bottom rung on the political ladder. This is an unusually capable man who has worked his way up through university politics, the Oxford union (President), Tory candidature in a hopeless Yorkshire seat ... and finally to Westminster. Then, at last, a tiny job. Then — what! — off the ladder, down the snake, and back to square one.

And there he was yesterday with his question 15 about relations with Brazil. Why?

Another junior minister, Alastair Goodlad, was waiting to answer him. Goodlad was to answer only on Brazil, yesterday. He, too, sat through all the other questions, silently. If Duncan's was reached, both men knew, of course, that nothing either of them said would make any difference at all to relations with Brazil. Goodlad's briefing was designed to secure just that outcome. Duncan's question was designed to cause the minister no difficulties.

They didn't even reach question 15.

Sinn Fein president sweeps New Yorkers off their feet

FROM BEN MACINTYRE
IN NEW YORK

TWO thousand ecstatic Irish Americans crammed into a hotel ballroom in New York to pay homage to the Sinn Fein leader Gerry Adams on Tuesday night.

They stamped their feet, they sang "The Wearing of the Green" and "A Nation Once Again" and they roared, time after time, a man who 48 hours before had been unknown to most Americans.

Amid the faithful, and with the bagpipes skirling, Mr Adams allowed himself to drop, briefly, the moderate, measured image he has so far presented to America, as his language took on a more strident, sectarian tone.

The British Government "can do anything they want, but they cannot colonise us in our heads", he proclaimed. "Let us support the right of people in Ireland not to be discriminated against because they are Catholics." His next words were drowned out by whistles, whoops and deafening applause.

"Tell it, Gerry, tell it how it is," shouted one woman, close to tears. "Tell how the British have oppressed us for 600 years." "Eight hundred years!" came another voice. She corrected herself.

About 3,000 people had flocked to the only public meeting in Mr Adams's whirlwind tour of New York, carried by chartered buses from Philadelphia, Boston and the New York suburbs. Hundreds were turned away as the ballroom reached capacity. They milled outside the Sheraton Hotel hoping for a glimpse of a man who has become in the space of two days, the face of Ireland itself to many nostalgic Irish Americans.

Inside, the mood was boozey and belligerent, despite Mr Adams's claim to have "come in peace", and he played the crowd like a master. "I have to say that I have an uncomfortable relationship with cops," he joked, "but New York's finest are the best policemen I have met." The New York police force is overwhelmingly of Irish origin.

"I come here vilified as a terrorist by sections of the British yellow press," Mr Adams said, flanked by two members of the Police Emerald Society Pipe band, who



Gerry Adams addresses a conference in New York

have acted as his bodyguards.

After leaving the Sheraton Hotel, smuggled down the back service elevator like a pop star, Mr Adams was given a brief tour of Manhattan. His guide was Francis Gildernew, jailed by Britain for his IRA activities, according to *The New York Daily News*. Gildernew was sentenced to 12 years in 1978 for possession of explosives and five years for "membership of

a proscribed organisation".

Mr Adams's reception by the American press, wooed by a carefully orchestrated media campaign and Mr Adams's well-rehearsed ambiguities, has been close to adoring.

"Gerry Adams has grabbed that which transforms accused terrorists into freedom-fighters — legitimacy," announced *The New York Daily News*. "Rebel Defends Violence 'But It Is Justified'". read a

headline in the *New York Post*.

Mr Adams has compared himself to Nelson Mandela, Yasser Arafat and to George Washington, "who was depicted by the British as a terrorist and I think that is a common ailment that afflicts anyone who opposes colonialism", in Mr Adams's words.

Some media observers have contrived to miss the point of Mr Adams's visit. "To get his visa, Adams had to renounce violence against British rule in Northern Ireland," said the *Daily News*. Mr Adams has done nothing of the sort: instead he has again insisted that Britain must agree to "demilitarise" Northern Ireland while claiming that the stalemate in peace negotiations is the result of Britain's failure to clarify the Anglo-Irish declaration.

His slogans, his purported willingness to "go the extra mile" (without saying what that entails), his declaring "the ball is firmly in the British court", and "I want to take the gun out of Irish politics", have been accepted uncritically by most US media as proof of his peaceful intentions.

Douglas Hurd, the Foreign Secretary, appeared on CNN yesterday to describe Adams as a "dangerous man ... who leads a party allied with terrorism". Mr Hurd said: "He has the influence, possibly the decisive influence, to end the violence."

But the British Government's belated attempt to fight a media battle with Sinn Fein in America is probably hopeless.

So far, the Sinn Fein leader's visit has been a lesson in media hype (Adams had charisma, language, intellect, humour and passion), the cost of a party allied with terrorism, and the diminished Noraid coffers will benefit mightily from the tour.

Damage limitation, page 1
William Rees-Mogg and Peter Brookes, page 16

NEWS IN BRIEF

Lords lead attack on jail crowding

Lord Carr of Hadley, the former Conservative Home Secretary, led an attack on the Government yesterday as the House of Lords debated prison overcrowding in England and Wales. His assault, supported by Lord Woolf, author of the report on the 1990 Strangeways riots, came as Michael Howard announced his dimbdown over the Police Bill. It was the latest in a series of all-party attacks on Government policies in the Upper House in recent months including the second readings of the police and education bills.

Lord Woolf said the improvements in prison conditions that had followed the publication of his report were being undermined by the "corrosive influence" of overcrowding. He quoted Prison Governors' Association figures showing that 11 large local prisons had a population of at least twice their capacity. He said prison was "the most expensive way of making the criminal justice system less effective". Lord Carr said that for the Government to pursue policies allowing overcrowding to occur would be "a disaster" and urged that alternatives be sought. *Parliament*, page 9

'Wrong yacht' theory

Two British crewmen and two American passengers murdered aboard a cruise yacht off the West Indies island of Barbuda were victims of a drug gang searching the wrong boat for a cache of cocaine, Scotland Yard detectives believe. An officer said yesterday: "They tortured the victims to try to get them to tell them something they knew nothing about, because they were innocent." Today forensic scientists from London will examine the contents of a locked safe aboard the 65ft *Compass Challenger*, owned by the British electronics millionaire Peter Ogden.

Heathrow terminal

About six million air passengers a year will be denied access to Heathrow by 2002 unless the airport gets a fifth terminal. Sir John Egan, chief executive of BAA, the airport's owner, said yesterday. He told the London Chamber of Commerce airport support group that Heathrow would become so overcrowded that millions of passengers would be forced to use Frankfurt or Paris instead. "London is facing tough competition from Paris, Amsterdam and Frankfurt, which all are working to take the world hub away."

Travel news, pages 20-21.

ITV finance chief goes

The man responsible for administering ITV's £540 million budget has resigned. The sudden departure of Stratford Zographos is expected to lead to the first big reorganisation of the ITV Network Centre since it was set up a year ago to centralise programme commissioning and network scheduling for the 14 regional companies. Mr Zographos said he was unlikely to be replaced and that his duties as finance director could be passed to other senior staff. ITV sources claimed there had been a growing lack of understanding between Mr Zographos and the regional companies.

Hacker 'called Queen'

A computer hacker claims that he obtained personal telephone numbers for the royal family from BT confidential files. The man, who would not reveal his identity, told the Press Association that it was easy to hack into the files, by posing as a BT engineer, to obtain secret access codes. "I once called the Queen on her private number," he said. Buckingham Palace would not comment on the claim. In a Channel 4 documentary last night the north London man, aged in his 20s, boasted that he could hack into military systems and files held by credit companies and universities.

Hibbitt fighting cancer



Terry Hibbitt, left, the former Newcastle United footballer, has been told he has cancer of the lymph glands. Hibbitt, 47, had stomach surgery last week. Yesterday he was recovering in the Freeman Hospital, Newcastle upon Tyne. Hibbitt of Darras Hall, Northumberland, now manages a pub. He starred in the Newcastle side of the 1970s, and retired from playing in 1981 after injury.

Journalist in court

A journalist has been ordered to appear before the High Court over the publication of leaked confidential reports on the escape of two killers from Broadmoor top-security hospital. Neil Hyde, of the Reading-based INS News Group, said he would resist demands in a writ that he identify his informant. The hearing will be on February 23.

Councils clean up act

Guidelines to ensure local councils come clean about how well they perform their refuse collection and other duties are published today by the Audit Commission, the local authority watchdog. From April all local authorities will have to publish details annually in at least one local newspaper to ensure council taxpayers get value for money.

Grant fairness urged

Grant-maintained schools must not be given more Government cash than those remaining under local authority control, the all-party Public Accounts Committee reported yesterday. It said the Education Department should ensure that grants do not give unfair advantage to schools in either sector.

£17,000 budgie haul

Thieves have stolen 58 rare budgerigars worth £17,000 in a daytime raid on a breeder's aviary. Alan Hunt, 47, a wildlife artist, was in a studio 50 yards from the aviary near Thirsk, North Yorkshire, when the thieves struck on Tuesday. He had forgotten to switch on a burglar alarm. He said the thieves took only the best birds, some worth £2,000 each.

How Britain could have foiled Adams

BY EDWARD GORMAN

THE damage inflicted by Gerry Adams's visit to the United States is all the more painful for British policy makers because it has come when the peace process on Ulster is still capable of delivering an agreement.

The question being asked by an embarrassed Whitehall yesterday was what should have been done to counter the republican media offensive.

Send a minister. Douglas Hurd, the Foreign Secretary, was already in New York but he was preoccupied with other matters. A Government minister would have been able to present an authoritative foil to Mr Adams which the American media could not ignore.

The danger is that reacting in this way might have been seen as affirming the Sinn Fein president the respect and status he has craved for so long. Another difficulty was that a minister might have ended up entering into a media debate with Mr Adams, undercutting John Major's determination not to clarify the Downing Street declaration.

Send a senior backbencher with experience of Northern Ireland. Names mentioned yesterday as suitable candidates were Michael Mates, the former Northern Ireland Office minister, and Tom King

the former Secretary of State. Both have been robust opponents of the IRA and Sinn Fein since leaving office. Not being a member of the Government gives them greater flexibility than a minister and less chance of being embarrassed.

Mr Mates, although not the most diplomatic of operators, has been putting the Government's case on Northern Ireland effectively and from a usefully detached position.

Send a moderate unionist. Names mentioned in this category included Ken Maginnis, the Ulster Unionist MP for Fermanagh and South Tyrone, and David Trimble, the party's MP for Upper Bann.

Enlist the services of a victim of IRA violence. Colin Parry, father of Tim, the 12-year-old boy killed by the IRA's bomb at Warrington, would have been a good candidate. Mr Parry, who has remained almost entirely without bitterness, is not afraid to debate the issues openly with Mr Adams.

Make sure that, at every point, British officials were available to brief American journalists. This was done by these accompanying Mr Hurd. It would have been diplomatically inept, however, for officials to have been seen "shadowing" the Sinn Fein president.

Back-to-basics bishop

Continued from page 1
be experienced and taken into one's life as well as to be acknowledged as a historical fact.

He agreed with Dr Jenkins that "hell is something that can very easily be created by us making hell for ourselves. I think hell is the other side of freedom." He accepted the possibility of eternal damnation as "the obverse of heaven".

In his Rochester diocese, Bishop Turnbull has helped officials to develop a financial strategy, has set up a lay order of evangelists and has helped to found six churches.

The news of his appointment, which takes effect on July 6, was greeted with rejoicing by opponents of Dr

Jenkins yesterday. The Rev David Holloway, vicar of Jesmond, Newcastle upon Tyne, said: "There is plenty of blasphemy, but people must be allowed to get on with it. It's a vast mistake to use the resources of the state to suppress blasphemy. God was quite prepared to risk his own death, so defending him from blasphemy is a waste of time."

Dr Jenkins declared in a farewell lecture at Durham county hall: "There is plenty of blasphemy, but people must be allowed to get on with it. It's a vast mistake to use the resources of the state to suppress blasphemy. God was quite prepared to risk his own death, so defending him from blasphemy is a waste of time."

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- Ebac Dehumidifier Humidex 7**
• Reduces condensation and damp
• Extracts up to 2.5 gallons of excess moisture a day
£299.00 **SAVE £100** **£199.00**
- Homebase Tints of White Vinyl Matt, Silk or Softsheen**
Choice of colours. 5 litres
£15.99 **SAVE £5.00** **£10.99**
- Heuga Elegance Carpet Tiles**
Pack of 12, 50cm x 50cm
Pack coverage 3.5 sq yards approx
• Easy to lay
• Choice of colours
£63.99 **SAVE £15.00** **£48.99**
- Abru Easi Stow 3-Section Loft Ladder**
• With easy storage spring mechanism
£69.95 **SAVE £20.00** **£49.95**
- Ring Moritz Triple Spotlight**
• White finish • 60 Watt
£19.99 **SAVE £6.00** **£13.99**
- Quadra 3-Shelf Shelving Unit**
94cm x 70cm x 30cm
• Easy assembly
• No tools required
• Reversible shelves
£29.95 **SAVE £10.00** **£19.95**

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HOUSE AND GARDEN CENTRES
Good ideas cost less at Homebase.

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Feeling low this morning? So are we. We need 1.972 units of blood.

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